MURDER
AT
BAYSIDE

RAYMOND ROBINS

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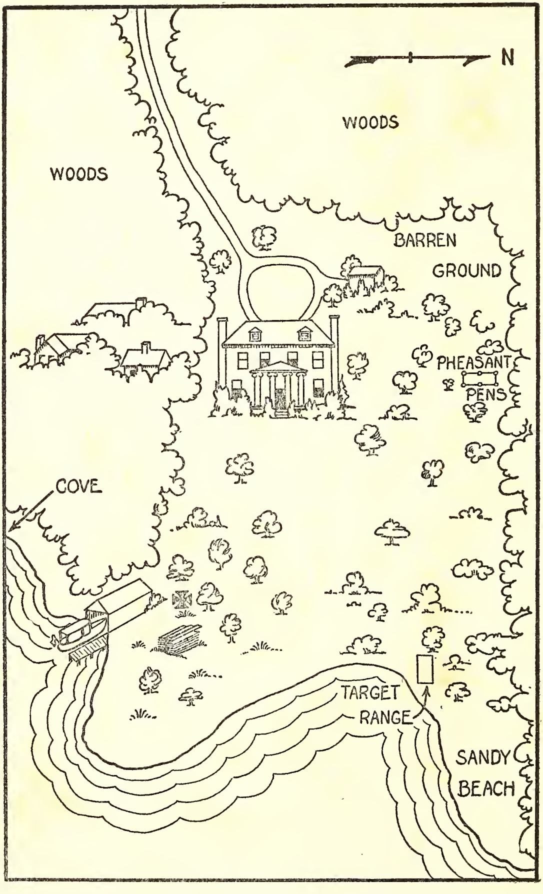
N
WOODS
WOODS
BARREN
GROUND
PHEASANT
PENS
COVE
TARGET
RANGE
SANDY
BEACH

Drawn by my good friend Lieut. A. S. Newman, a frequent guest at "Bayside"

MURDER
AT
BAYSIDE

By

RAYMOND ROBINS

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To the girl
who really wrote this book

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All characters in this
book are fictitious

MURDER AT BAYSIDE

CHAPTER ONE

FATE is inexorable and unexpected. The ancients admitted this truth when they fabled the Three Spinners at work in Olympian aloofness neither heeding nor caring about the human destinies so strangely interwoven in the warp and woof of their looms. But we moderns do not like to think we cannot control the pattern of our lives; we would rather talk glibly about will-power, we even sonorously proclaim ourselves "Captains of our Souls" and we love to prognosticate proudly what we should have done, were we so unfortunate as to be in the other fellow's place when misfortune overwhelmed him. All the while we are saying smugly to ourselves, "Such a thing could never happen to me for I have ordained my life far differently."

Perhaps we pick up our morning newspapers and read the screaming headlines shouting of some bloody crime and then we shudder slightly to think of such conditions existing in our advanced civilization, wondering a bit in the privacy of our own minds what manner of persons are these whose names are writ large in public print for the world to read.

My friend, they are even as you and I. A year ago, had I been gifted—or should I say cursed—with the foreknowledge of the events through which I was subsequently to live, had I said to myself, "Robert Williams, you are about to be involved in a murder case wherein you will not only know the murderer, but will eat with him, sleep under the same roof with him, and eventually assist in tracking him down," I should have laughed at my own prophecy, albeit a trifle uneasily, lest my overworked brain had produced these strange fantasies.

Yet all this was true and it came about in such a commonplace, everyday way that, had I foreseen what was going to happen, at no time could I have drawn back and saved myself from the experiences in store for me. At the time of which I write, I was thirty-eight years old, the junior partner in the law firm of Vaile and Williams. The law, as I knew it and practiced it, was a dear and exacting mistress, charting the business seas for great corporations, steadying the hands of testators, and administering their estates when they were gone; not at all that flaming jade who goes along the sinister bypaths of the underworld, trailing her bedraggled skirts through criminal courts and flaunting her actions in the public press. Not for worlds would I decry those who give their lives and brilliant talents to the practice of criminal law; they are sincere men and great men, abler far than I shall ever be. I am merely trying to emphasize that their field is very different from mine and I was as ignorant of their practice and clients as I was of the police and their methods. In fact, I am of the old school which learned its law in an office, apprentice fashion, and since my mentor, even in the early days of my association with him, specialized in the one branch of the law, my contacts have been all one-sided, and, I fear, a trifle biassed.

Nevertheless, I was content to pursue my profession along peaceful paths and I daily gave thanks for all that my friend and patron, John Patrick Vaile, had made possible. John Patrick—he insisted upon the use of his two given names according to the custom of the deep South whose true son he was—was remote kin of mine, as we Southerners remember and respect the obligations of family ramifications. He had built up our important practice, trained me to follow in his footsteps and then, oddly enough, he had developed, more as a hobby than anything else, a belated interest in the field of criminology, not only as regarded the law, but in respect to the actual detection of criminals. He had first manifested an interest when a reform ticket had swept into office, as Police Commissioner, an old and valued friend of his.

Now John Patrick's uncanny insight into human nature enabled him to ferret out obscure motives; add to that ability an outstanding knowledge of and interest in what might be termed the tools of murder and one can easily see how an inexperienced police head might come to consult his wiser friend on practically all of his cases. But Baltimore is strangely lacking in recondite crimes, and after assisting his friend in the two or three important cases of the reform administration, John Patrick, like a small boy fascinated by his new toy, sought other fields to conquer. He had visited the police bureaus of every good-sized city and was familiar with their working routine. At the beginning of my story he was in London, ostensibly tracing the descent of certain fine points in the laws of equity—personally I was positive he was spending more time at Scotland Yard than among the musty archives of the Middle Temple.

Of course, all work he had done along these lines had been accomplished without any public fanfare for we had a clientele which would scarcely appreciate the thought that its lawyers were engaged in police work. Nor were we as a firm; I never had the least interest in my chief's hobby, considering it, indeed, the sort of thing which a psychiatrist would explain in the terms of inhibition and escape reaction.

So picture me, on the morning of the tenth of November, at work in our Baltimore office, my mind busy with moot questions of corporation law, enjoying my work and finding it not in the least dull. I was anticipating no adventure, I was smugly complacent regarding the pattern into which I honestly believed my life was irrevocably cast. Then the telephone on my desk rang and one of the girls announced that Mr. Charles Evans was calling.

I had barely time to hang up my receiver when my door opened and a blond young giant strode easily in.

"Hello, Williams," my visitor said, his cold gray eyes vouchsafing me but one glance. "Save your high-priced advice, I'm not on business this time."

"I don't recall your ever listening to my advice, Charles," I returned with some spirit, "And anyhow, I no longer have the right to offer it."

The young man disposed his graceful, well-knit body in my easy chair and rolled himself a cigarette. "I know," he said with a cynical smile on his face, "It must pain your legal mind to think how carefully you nursed along the inheritance Edwin and I received from our parents, until that day of grace when I became twenty-one. We had some grand old squabbles, didn't we? Well, what is an Evans unless he is quarreling about something? I wonder if you have any idea how little is left of the precious fiduciary?"

I kept silent under his provocation for I knew how true was his reference to the irritableness characteristic of his family. After all, our trusteeship had lapsed four years ago.

"Anyhow," he continued as he watched me under lowered lids and saw I was not to be baited, "Uncle Cyrus asked me to stop by and see if you would like to go down to Bayside for some duck-shooting tomorrow."

"I should be delighted," I returned promptly, much pleased at the invitation.

"All right; but you'll have to arrange about getting yourself out there tonight. The cruiser leaves for the blind at daybreak, so Uncle Cyrus said to be sure you understood you must get in this evening."

I thought rapidly. My car as usual was laid up for repairs. "What time are you going back?" I asked although I did not relish the trip in his company.

He shook his head with his usual smile of secret amusement. "Sorry, but I am returning with some friends and I don't think they have room for another passenger. However, Edwin drove me up. You might call some of his haunts and see if you can get in touch with him."

"Where would I be apt to find him?" I inquired.

"Haven't the foggiest. Perhaps a train would be your best bet on getting down." He got up to go, that same smile on his face. As if it were an afterthought, he added, "Don't try the bank. You know Edwin has severed his connection with them."

Then he left me staring after him and wondering why he felt called upon to rake up this half-secret scandal. I knew Edwin was with the bank no longer, and I shared the knowledge with scandalized Baltimore. The story ran that when Edwin, having rapidly run through his inheritance, turned to his uncle for financial aid, the latter had wangled him a job in one of our most prominent banks. Edwin had remained there for nearly ten months; then he resigned amid a storm of gossip which went far to undermine confidence in the bank. The real facts of the case never came out—at least I never heard them, and when a lawyer is in ignorance of the exact circumstances of such an episode, you may be very sure the whole affair has been well hushed up. For Charles to refer to this abortive banking career of his brother's was a most unfraternal act—and wholly typical of Charles. A fellow club member, when he first heard rumors of Edwin's disgrace, remarked, "Well it shows the difference between Edwin and his brother. If Charles had wanted to loot the bank, he would never have stooped to fraud. He would have shot the night watchman and walked off with the money."

Exaggerated as that estimate of the Evans' brothers might be, it, to a certain extent approximated my own feelings about them. Charles was an outlaw, both by nature and by preference, priding himself on his defiance of convention. He had been born out of his time for he was kin to the breed which flourished on our western plains seventy years ago before the law came to tame the frontier, before time softened the recollections of the grim happenings of an earlier day. Courage he had, and an intelligence of a hard reckless sort, but he could brook no criticism and was openly contemptuous of restraint.

As for the older brother, I found him more subtle and smoother in many ways than Charles. He was reticent to an extreme, where Charles was scornfully open. Edwin presented a hard, smooth surface to the world, leaving no corners to be grasped, to be explored, and offering no opportunities for friendship. Sometimes I pitied him, for I thought him at war with his environment and apt to lash out venomously against his better nature. Both brothers lived at Bayside with Cyrus and his son, subsisting, as I was well aware, on their uncle's charity. And that, to express it mildly, was an uncertain and a hectic existence.

I smiled to myself a bit ruefully when I thought what daily existence at Bayside must be like. Cyrus Evans was a valued client of ours and although I honestly liked the old man, I could not deny that the appellation, "the old pirate," so freely bestowed by those who had business contact with him, was richly deserved. Cyrus had made his millions in the swashbuckling days of the turbulent nineties and, though now technically retired, he still kept an inquiring finger on the business of the South. In spite of advancing age—he was now in the late seventies—he was not only in fine physical condition but was possessed of a ruthlessly analytical mind, functioning still with the cold clear audacity of his earlier years. To use the argot of the day, he not only could lick his weight in wild cats, but there was nothing he would enjoy more.

Too often the son of such a man is but a pale replica of the father, lacking the vital qualities which give the sire his dash and ability. But Thomas Evans was the proverbial exception to the rule; he was a chip off the old block with a vengeance. With a start, I recalled Tom was an adopted son, for more than thirty years ago Cyrus had paused in his money-getting long enough to realize that a fortune is so much dross, without a son to inherit. Too canny to make the mistake of other self-made men and marry in middle life, he had, with his customary high-handedness, adopted a boy and raised him as his own. Few people now remembered the adoption or would credit the truth when it was recalled to them, so much did Tom resemble Cyrus. The young man had gone into the practice of criminal law and exhibited in pursuit of his profession exactly those daring qualities of mind and spirit which had enabled his father to gain his fortune in the business world. But while audacity, recklessness and callousness may be excellent assets in the realms of finance, there were those among us lawyers who felt these qualities led to practices not entirely countenanced by a strict interpretation of legal ethics.

I granted Tom admiration on the score of his brilliant mind and thorough knowledge of the law, but I could never like him after I heard him mocking his underworld clientele, boasting how he could teach them tricks in their own trade, were it not for the fact that he made more money by remaining honest. I am too old-fashioned to be able to overlook remarks of that caliber, nor can I consider them in the light of a jest. Still, I endeavored to soften my condemnation of Tom by reflecting how his character and ideas must have been shaped by association with Cyrus. There was not one of the Evans family who could be held in check by the conventional bonds of ethics or morality—Tom was no better, no worse, than the rest of us.

I brought my revery to an abrupt end. After all, my problem was how to get down to Bayside, and it was very likely that Tom might be able to furnish me the transportation. I reached for my 'phone and instructed the girl in the outer office to get me his number. Unfortunately, my luck was definitely out. I talked to Tom's secretary and she informed me that her employer was not expected in town today, although he might call the office later. Then it was that I received the suggestion which led to my second step in this quagmire of crime and caused me to do the thing which was to have such a strange result. I ask you merely to notice how simply it all came about.

"Miss Ellesworth," I said into the receiver, "I have not been down to Bayside this year, and so have not had cause to look up the trains. Could you tell me anything about them?"

"Certainly," replied the brisk voice. "There are just two which make the stop near Bayside. One arrives at three-thirty in the afternoon, and the other gets in at ten at night."

"Oh," I said aghast, for I recalled the vagaries of the ten o'clock local from a sad experience last year.

"If I have to get up to go duck-shooting before daylight, I most certainly don't want to take the evening train. I need more than four hours' sleep to face a day in the blind with any equanimity."

Miss Ellesworth laughed perfunctorily. "Why don't you take the afternoon local then?" she asked. "Mr. Thomas goes down by it, when he hasn't his car. I believe that the later train is mixed freight and passenger and very unreliable."

"I know it is," said I, as I thanked her and hung up the receiver, determined to give myself an afternoon's holiday. And thus simply did I start toward the adventure whose grim nature was not as yet remotely foreshadowed.

The local train, smelling slightly of stale cigars and unbrushed plush, crawled out of the station shed into a gray drizzle of rain. Little rivulets made grimy patterns in the soot on the window panes, chasing each other into erratic designs as the train swayed on its way, but I was not downcast by the weather. The old saying, "a fine day for ducks," has real meaning in Maryland, for no matter how disagreeable the day, according to human taste, there is nothing like a fine sprinkle of rain to bring the ducks out in full force.

When I got out at my station, I was a trifle dismayed at the sight of the only conveyance the inclement weather had left free to serve as station taxi. It was a ramshackle old "flivver," whose negro driver wore an air of habitual disconsolance; indeed, I had much difficulty in persuading him to undertake the five-mile journey to the Evans' estate. But once his car started, my chauffeur threw off his lethargy and proceeded at a perilous speed until I was inordinately glad to see the stone pillars inscribed "Bayside" come into view. The whole estate, save where it bordered on the water, was fenced in by barbed wire hidden by a high hedge, and the only means of ingress was at the lodge gate where we stopped to await the arrival of the old negro, pensioner on Cyrus' bounty, whose duty it was to open the massive iron gate and announce the visitors by 'phoning the main house. Once inside the barrier, we rode more than a mile on a graveled road, winding around well-kept lawns and pleasant gardens. My taxi finally drove up alongside the small ornamented doorway which broke the straight façade on this side. According to the architect's blue prints, this was the back of the house, the traditional colonial columns and portico being on the opposite façade overlooking the water. As I got out of my taxi at the back door, then, the woods encroached to within a hundred feet of the end of the dwelling, and just around the corner was set a side door which led into the kitchen and so on up the rear staircase, which was destined to play a large part in the scenes to come. Its original purpose was to provide for the convenience of the servants, whose quarters were hidden in the pine woods some distance from the house and completely out of sight.

This plan of housing the staff under a separate roof is a common one in the old plantation dwellings, and Cyrus had adhered to it when Bayside was built because of his dislike of having the servants under foot, as he expressed it. The grove which concealed their quarters extended to the end of the property on this, the southern, boundary and held many outbuildings and sheds, as well as the main route from the house to the dock, the whole being more in the nature of a well-kept park than an actual forest. On the other hand, the entire northern boundary was second-growth timber, cleared from the eastern edge to the house for lawn and garden space, but allowed to grow as wild as fire hazard would permit the rest of the way.

Proceeding around to what was really the front of the house, the whole panorama of the grounds unrolled before one on a clear day. The house, standing on a knoll, had an excellent view of the blue waters of the bay, sparkling below to the right and far ahead. A part of the woods had been cut down to afford this view, and here were more gardens, bird runs and, below them, the target range where the Evans family delighted to exercise their skill.

On this particular afternoon, the rain screened nearly all from sight. A dank fog was already drifting in as the downpour let up, so that visibility was unusually poor. I walked around to the front door and rang, being admitted almost at once by the colored butler.

"Mr. Evans is not in, suh," he informed me as if he were surprised at my arrival. "He went out in one of the boats earlier in the day, but Ah 'spects this fog to drive him in soon, suh."

"Mr. Tom is here, isn't he?" I asked.

"Oh, yessuh. He 'round the place some'eres."

Truly your country gentleman does not let weather bother him very much, if the Evans household was a good example. I had been cherishing a mental picture of the family grouped around a cheerful fire with perhaps a few whiskey sodas to keep off the chill.

"Well, no matter, James," I replied. "If my room is ready, I'll go and wash up while I wait for Mr. Evans."

"Yessuh. The front room as usual, suh."

I was half-way up the stairs when Tom came hurrying in with an air of suppressed excitement. He called to the butler who was following me with my bags.

"Hey, Jim, bring me my forty-five, will you? And be quick about it."

Then as he came further into the reception room, he saw me and exclaimed, "Oh, hello, Williams, you got down early, didn't you?"

James put my luggage down and went to obey Tom's command, his eyes popping out of his black countenance. "I called your office," I began, although truth to tell, I was almost as curious as James to know why Tom should demand his gun on a day so obviously unfit for target practice.

"I called your office, but Miss Ellesworth told me you were not coming to town today, so there was nothing left for me to do but take the early train."

Tom paid me no attention, impatiently rapping his knuckles on the stair rail as I spoke, his eyes following James who was going down the passage to the gun-room.

"Not down there, you black buzzard," he burst out. "Get me my pistol from the top, left-hand drawer of the desk in my study."

The butler turned and went upstairs while I stood irresolute. Then Tom looked at me and said in a low voice, "I've suspected for several days that some one was lying low around this place—some one with no right to be here. Just now I saw a tough-looking customer down by the pheasant pens, and I miss my guess if he's any ordinary hobo. I haven't forgotten his ugly mug even if he has been in jail six months."

I took this meaning at once. "Not Jim Hirstein?" I asked quietly but with great excitement, naming the convict whose recent prison break was still the nine days' wonder of Baltimore. Hirstein had been lying in the penitentiary under sentence for murder, the day of execution set, and not all Tom's efforts in behalf of his unsavory client could avert his richly deserved fate. Then Hirstein had taken matters in his own hands and made his way out from the stone walls, which had never before yielded up an inmate save by the due process of law.

My face must have betrayed what I thought of this contretemps, should it prove true that Hirstein had sought asylum on the estate of his lawyer while the police were scouring the country in search of him, for when I looked at Tom I saw a scornful half-smile curling his lips.

"Don't worry. If it is he, I shall give him a warm time. I defend my clients, but I don't protect them after they have been sentenced."

I nodded, somewhat embarrassed to have my thoughts so easily read. "The papers have maintained that he was hiding out in this part of the country until the watch on trains and boats should be relaxed. Nevertheless, it is going to let you in for a lot of talk."

"I'm not worrying—" he broke off as James returned. The butler handed over the pistol, a wickedlooking forty-five whose sleek black side was ornamented with a small gold plate.

"That's yo' presumtation gun, Mr. Tom," the negro said as he gave the weapon to its owner. The latter smiled mechanically and hastily showed me the inscription on the gold plate:

"Won by Thomas Evans
First Prize, National Championship
Fifty yard offhand pistol shooting
Camp Perry, 1919"

I had just time to read the words when Tom turned to go, saying over his shoulder, "Williams, suppose you give the State Troopers a ring."

"Oh wait a sec. I'll come with you," I volunteered.

"No, please stay here. It may take some time for the troopers to get over, and anyway I want you to remain in case Dad or any one else comes in while I'm gone."

I let Tom go without any further protest, for he was well able to take care of himself. To tell the truth, I had no desire to mix up with a known killer like Hirstein. I had no fears for my host's safety; the slight braggadocio Tom had shown in sending especially for his trophy gun betrayed his eagerness to capture the bandit at the point of his own weapon, and I would not be the man to deter him. I turned to the telephone and even after I had mastered the intricacies of the country dial system, it took me a few minutes to get my connection. It probably was not as long as I thought, but I remember wondering what would be my feelings had I surprised the bandit at the house and must needs hold him at bay until I got through to the police station. Perhaps such contingencies are taken care of in the emergency directions which occupy so much space in the front of the directory, but I would hate to find myself up against such a situation. At length I heard a voice saying, "State Troopers Headquarters, Belton, Lieutenant Murphy speaking."

I explained the purpose of my call as coherently as I could, thanking my lucky stars for a clear wire. After all, I was requesting police help to come from fifteen miles away, on the chance of capturing some one who might be a reckless bandit or might turn out to be a perfectly harmless tramp. Tom was the only person who had seen the man and, with the rain and the fog, I was beginning to wonder just how good his identification was. When I had finished my halting story, the lieutenant informed me that one of the new radio-equipped cars was already in our vicinity making its regular cruise-about, and he promised to send it a message directing it to proceed to Bayside at once. I was, of course, aware of the recent addition to our police force, of these modern vehicles designed to replace, eventually, the slower, if more picturesque, mounted trooper; but I had no idea one was in our section already. I hung up the receiver; then realized how soon the police would be arriving, so I dispatched James to the gate to await them. I hated to think of the effect a fast, radio-equipped scouting car might have on the sedate old retainer down there, unless he were warned and reinforced by some one from the house.

At last I was free to go upstairs and freshen up my own appearance. I retrieved my bag from the front hall where James had left it and mounted the staircase, finding without any trouble the room which had been designated as mine. I walked directly into the bathroom where I started a tub running; in the meanwhile, I returned to the bedroom to undress leisurely and lay out some dry clothes. I was glad of the opportunity to get a hot bath, for my garments were unpleasantly damp and sodden. The house was deathly still when I turned off the water and stepped into my bath. Not a sound had I heard all the while I had gone quietly about my preparations. Then, suddenly, a shot rang out. Subconsciously I glanced at my wrist-watch, which, with my ring, I had forgotten to remove. I noted the time and listened intently. Everything was absolutely quiet; I could even hear the steady drop of water on the window panes.

CHAPTER TWO

ALTHOUGH at the time I had no prescience of calamity, I was naturally curious to know if Tom had captured his bandit, so hastened along with my bath. I had dried myself and was partially dressed and shaving when I heard a rumble of voices in the hall below. Listening a moment, I knew it was James bringing the police with him. They had certainly made a ready response to my call. Allowing ten minutes for my toilet and about the same for the conversation with Tom and the act of telephoning, not more than twenty minutes had elapsed since Tom had first mentioned the presence of a prowler.

Then I heard Tom's voice booming out from somewhere down the hall, directing the police to come up. I wondered vaguely when he had come in, for I had been listening intently after the shot without hearing a sound. Either I had relaxed my efforts momentarily, or he had come in silently indeed. Wondering with some excitement what was going on, I quickly finished up my dressing and hurried down the hall to Tom's study. The door was open and I saw him leaning on the desk talking with three men in the olive-drab uniform of the State Police. As I entered, a hush fell on the group and all eyes turned to me as if expecting me to bring them news. Tom straightened up and introduced me to Sergeant Lyttle and his two men, whose names

I afterwards ascertained to be Starr and Brown. At the time, Tom's words of introduction startled me too much for me to grasp all that was being said at the moment.

"This is the man," he indicated me with a large gesture, "who called you on your fruitless errand, Sergeant."

I could not help resenting the use of the pronoun. True, I had called the police, but it was at Tom's own request, and it was he who had partially identified the tramp as the long-sought jail-breaker. What a fool I should feel, had I summoned the State Troopers to chase a harmless vagrant off my friend's estate. I was irritated at Tom's light and patronizing fashion of shoving the blame off on me but, before I could find my voice to protest, he began an explanation which partially salved my vanity.

"I went down to the pheasant runs where I had seen the man but a few moments before and he was still there. But he caught sight of me this time and commenced to leg it off for the woods on the northern boundary. Just as he got to the fence he pulled a gun and fired on me once. I fired back but, running as I was, I couldn't take aim properly. It was Hirstein all right. I saw his face clearly enough. It's too bad he got away to the cover of the woods."

I thought this over for a second while the police Sergeant was questioning Tom as to the probable direction Hirstein might take when once he found himself in the woods.

"But, Tom, the shot I heard didn't come from over by the north at all," I ejaculated. "It was from the other direction entirely—south and somewhat east, I should say."

The three troopers whirled on me simultaneously. "What shot?"

I realized that I had thrust myself into an entirely unsought-for limelight. "Well, I heard a shot," I hedged, "and I thought it sounded as if it came from over by the water, perhaps, but I don't know which way the wind is, and what with the fog and all—" This was going very badly.

"How many shots did you hear?" inquired the Sergeant.

"Only one. I listened for more, but I didn't hear another sound. It couldn't have been Mr. Thomas, for he says there were two shots fired over there. It must have been something altogether different." I was uncertain of my ground, but it did seem queer, for I well remembered that there had been no wind to speak of at the time, and the extreme silence of the house contributed to the fact that I should have heard all the shots, not just one. I was glad the next question was one I could answer with absolute exactitude.

"About how long ago did you hear this shot?"

"It was fired at exactly four-fifty." I glanced at my wrist-watch. "Fifteen minutes ago." Then I explained: "I was in the act of removing my watch and so happened to note the time." I might have added that, such was my haste to get into a warm bath, I most probably would have bathed with the watch still on.

Lyttle made a strange noise in his throat. "Are you sure it was a pistol shot, not some one firing at ducks from a blind off-shore?"

I could not be mistaken, for I have not lived all my life, boy and man, in the Maryland hunting country for nothing. "It was a pistol," I stated emphatically. "Furthermore, it was not fired by any one out target shooting; at least, I don't know of any one who uses a heavy caliber pistol for target practice. I thought at the time it was a forty-five, so, knowing that Mr. Thomas Evans had taken a pistol of such caliber with him, I naturally thought it was he whom I had heard firing."

"Oh," replied the trooper politely, "I thought you just said it couldn't have been Mr. Evans, because the sound came from the wrong direction?"

"Well," I murmured, anxious to understand this matter myself, "it did sound like a shot fired from the southeast; and, too, I heard only one. The bath water had been turned off, but even if it hadn't been, I don't believe it would have drowned out the noise of firing, especially as I was in the bedroom the greater part of the time."

Tom laughed with no apparent sympathy for my embarrassment. "All right, old man, we won't suspect you of making it up out of whole cloth." Nevertheless, I had a feeling that the Sergeant thought I was floundering around in a conversational morass, attempting to explain a matter about which I was hopelessly confused. Well, I was confused as to the interpretation of what I had heard, but I was not the victim of an auditory delusion, of so much I was absolutely positive. I wondered why the police delayed so long in going out to investigate the shooting and find out where Hirstein had gone. I did not realize at the time how interesting the Sergeant was finding our conversation.

Tom was keener than I, however, and, after a moment's hesitation, he picked up his forty-five from the desk and tossed it lightly at the trooper. "Here you go, Sergeant; take a look at my gun if you like. I can't explain what Williams heard—you'll have to leave that to him—but my gun will bear out my story."

The trooper examined the gun quite frankly. "There is no doubt but that this pistol has just been fired," he confirmed.

Tom warned him that it was loaded, so Lyttle ejected the magazine which contained five cartridges. Then operating the slide, he removed the sixth and handed the gun over to me. Not in the least understanding this turn in the proceedings, I squinted down the barrel, observed the unmistakable signs of firing, commented on the warmth of the steel; in short, I agreed absolutely with the Sergeant's previous comment without seeing where all this led us. Now I love fire-arms of all sorts, and I recognized this pistol as a beautiful specimen of its kind; nevertheless it was assuming a slightly sinister aspect and I was glad to pass it over to its owner.

"Any great interval between your shot and the hobo's?" Lyttle wanted to know.

"I didn't even stop to aim properly," Tom replied.

"Well, Starr, you and Brown search the property. If we find any traces of the visitor or signs of his return, we'll know what to do. I can always get additional troopers to search the woods before he can get very far away, if it is Hirstein. He is city-bred and even a born woodsman cannot make much headway in that heavy underbrush. You better stop at the 'phone downstairs and report in, Starr, and let the lieutenant do as he likes about reserves. By the way, don't forget to look over by the water to see if you can find any trace of the shooting that Mr. Williams reports."

The two men departed to carry out their orders, while Tom, the Sergeant and I settled down to await developments. I was surprised at Lyttle's decision to remain with us. At that time I had no idea how much gratuitous misinformation pours into headquarters whenever as notorious an affair as the Hirstein case is receiving publicity in the papers; nor how the police come to regard the informers with far more interest than they display in the story they listen to. After dispatching his men Lyttle was determined to stand by to observe us, the two tangibles in the case, astutely guessing his more important duty to be right here. Furthermore, my own rattled behavior and peculiar story had already impressed him. Had I been a bit more learned in criminology and the ways of the police, I might have read the proper significance in Lyttle's lack of activity and his strange preference for our company.

The three of us sat for some moments carrying on a desultory sort of conversation, and then Tom rang for James to bring him some water, lemon-juice, cloves and rum.

"I'll fix up some hot toddies for us all. These November afternoons are chill enough without a drizzling rain to soak you through."

He drew a compact little Sterno stove out of the drawer of his desk. Then his fingers came in contact with some specially cut rags.

"You fellows mind if I clean my gun?" he asked, half-apologetically.

I laughed. "Not I, my lad. I know that cleaning guns amounts to a religion in this household. I believe your only regret when out duck-shooting is that you can't stop and clean your gun after every shot. I see you have even begun keeping waste rags and oil in your study desk."

"Oh, I usually do my cleaning in the gun-room, but I want to watch the toddy so I'll do it here this time." He reached for the pistol, but the Sergeant had just picked it up again.

"Trophy gun, isn't it, Mr. Evans?"

"Yes," I thought Tom's modesty was palpably forced. "I won it at the matches at Camp Perry, in 1919. I've used it a bit since then, but lately I've rather given up competition shooting. I find that my law business keeps me well occupied."

"The men at Bayside have the reputation of being excellent shots," said the Sergeant politely. "Mr. Cyrus Evans is really remarkable, considering his age, I understand."

"We never think of Dad as old," Tom replied soberly. "I wonder what is keeping him out on the water in this foul weather. I hope he has docked the cruiser at some neighbor's and will leave it there overnight. We ought to hear from him soon, though."

"Does he run Mr. Charles' cruiser?" Lyttle asked in surprise. The involuntary motion he made as soon as he had spoken betrayed the fact that he wished he could recall his words. Tom realized it and replied halfhumorously, half-bitterly, to the trooper's unspoken thought.

"Yes, he runs her. Because so much suspicion has been cast on the cruiser's activities of late, Dad has taken to going out in her alone. I don't know whether he expects to elevate the reputation of the boat, or merely to ascertain for his own benefit the truth of certain rumors."

Tom was referring to the stories which had been all too frequent recently, to the effect that Charles had been employing the cruiser in a lucrative, if illegal, business. Maryland has never ratified the prohibition act, so none of us feels any too friendly in regard to the constitutional bone of contention, no matter how we may regard the evil of liquor itself. But in spite of this laxity of thought, gossip had not spared a man of Charles' standing when the belief was common that he was engaged in rum-running. Somehow we felt it to be one thing to sit in one's easy chair at the club, sipping a mint julep, the while deploring federal usurpation of state's rights, and an entirely different thing to have one's fellow club member mixed up with bootleggers, hijackers and others of the nefarious trade. So when Tom saw the trooper's movement and knew that the mention of the cruiser made him think of this half-hinted activity of Charles', he answered as he did.

Sergeant Lyttle had no desire to pursue the subject. In the weeks to come, we were to realize that the man had an instinctive delicacy which made him far different from the traditional policeman. In point of truth, as I found out much later, he was a well-born, well-bred youngster, who had been caught in the maelstrom of war when barely out of his 'teens. He had had the time of his life in the Army, so much so that when he shed his uniform and donned mufti again, he found the spice gone out of life. Young enough in years to go back to school, he was too restless, nor had he the training to go into any trade. So he eventually drifted into police work and, before this case was over, we were all willing to admit that he was making a success in his chosen line. Soft-spoken, unfailingly courteous and diplomatic, he was, nevertheless, highly efficient, his very casual, easy manners masking a quick mind and keen discernment.

In appearance he was lean and wiry, very blond, with wide blue eyes belying his years. Rather short, he gave the impression of slightness, but never physical weakness. He was always neatly dressed, his uniform showing his figure off to good advantage, his legs shapely in their black leather covering. He had a curious trick of drooping one eyelid when he was thinking hard and puzzled by his thoughts. That eyelid drooped now as he watched Tom industriously at work, thrusting oily rags through the pistol barrel with an intensity of concentration bespeaking a gun enthusiast of rare degree. Tom finished up by polishing the gold plate with loving care.

As for me, I was frankly upset and filled with nervous forebodings; a most unusual condition for me who am ordinarily one of the most imperturbable of beings. I felt a tense uneasiness in the atmosphere. All the while, the rain dribbled monotonously against the windows. I stirred about uneasily. Yet the circumstances were perfectly ordinary. A trespasser had been found on the property, chased off, the police notified, and now we were waiting for the report of the guardians of the law who were searching the grounds. Not even the belief that the trespasser was a dangerous criminal, a notorious killer, served to explain my alarm. My uneasiness was not caused by anything which had already transpired, not even the possible return of the bandit was worrying me. It was an unexplained something that I had heard, or that I had noticed, plaguing me with the warning that all was not as it seemed. There was an undercurrent of events, unintelligible to me at the time, but whose presence I sensed as a stream of evil about to engulf us all. I felt as if I should leap to my feet and say, "Why, yes, I know"—but there, what was it? What did I know?

The sound of the door below closing. Footsteps coming up the stairway. The soft swish of a wet raincoat as it brushed against the banisters. Just one person coming. Was it Cyrus, returning at last to his house? Then before the footsteps reached the door, I knew. Not the thing that had been bothering me, but another thing. I had an absolute foreknowledge of the news coming to us. I did not even turn around as the men stepped into the doorway and trooper Starr's quiet voice said:

"We have found the body of a man down by the boat-landing. He has been killed by a pistol shot in the back."

"By the boat-landing? Where is that? Was it Hirstein?" Lyttle jumped to his feet.

"I don't think so, sir," Starr answered the last question first. "I'll lead the Sergeant to the spot."

"We'll all go," I said mechanically, for the moment I had been dreading was now upon us. As if in a spell, we soundlessly followed the trooper.

The going was hard. We went along the path on the edge of a pine-grove, but the trees could not keep out the murky fog entirely. The water dripped steadily off the branches, although I think the rain had ceased. The sound of the bay, hammering on the beach, played a ceaseless obbligato to my somber thoughts.

Just where the path left the shelter of the woods and wandered through the tall marsh grass to the beach, a dark form loomed up, huge in the distorting fog. I stopped dead for a moment until trooper Brown's voice rang out, "This way, sir."

Brown was keeping watch over a still, limp form on the ground. The police flashlights traversed the recumbent figure which lay sprawled grotesquely at our feet. In my mind rang the trite phrase, "dropped in his tracks." No doubt, it was literally true. The man lay on his face, but the police turned the head around and played their lights on the distorted features of my old client.

"It is Father," Tom's voice echoed eerily in the fog. That was the worst of all, I think, to hear the ghostly echo repeat Tom's words. Beyond us, at the dock, we could hear the cruiser as she strained at her ropes against the ebb-tide. Cyrus had made her fast, then had come along the dock to the shore, crossed the narrow strip of beach, and proceeded but a few feet on his homeward path when the assassin's bullet had struck him.

He was clad in his usual yachting costume, white rubber-soled shoes, white flannel trousers, and blue coat. His cap, bearing the insignia of the yacht club to which he belonged, was a few feet away, dislodged by the fall. He had been out on the cruiser all right, but he had been lying here long enough to be wet by the fog damp. It grieved me to think of all of us sitting warm and comfortable in the house while he lay here outside, and I hoped they would not delay in bringing in the body.

By now Tom had completed his formal identification. He turned to the Sergeant gravely. "There has been a terrible accident here, Sergeant," he said quietly.

"No, Mr. Evans, there has been a murder," replied that gentleman in equally grave tones.

CHAPTER THREE

IF I had thought I had reason to complain of Lyttle's lack of activity before, I surely had none now. He sprang into action immediately before I, shocked by the thought that Cyrus had been murdered, could gather my scattered wits and speculate on the identity of the killer.

"Was it anywhere near here where you first saw Hirstein?" the Sergeant asked Tom, and his voice rang with barely suppressed exultation at being so close on the trail of the much-sought-for murderer.

Tom seemed as surprised by the trooper's question as I was, for I thought he had made it plain, back in the study, that his encounter with the trespasser had taken place in an entirely different part of Bayside. On the other hand, I realized, with a curious feeling of fear in my heart, that right about here was the spot I had suggested when I told my story of hearing the single shot.

"I'll take you back to the house another way," Tom was saying, "and show you the lay-out of the land, as well as the spot where Hirstein stood when he fired on me and made his get-away."

I followed them mechanically, leaving Brown and Starr to take the body back by the shorter route. Somehow, I did not want to go with them, still less did I desire to be alone.

Were one to draw a straight line from the dock to the opposite boundary of the Evans property, it would run almost due north and would terminate in, not the thick timber growth, but a sparse wooded area ending in a sandy beach where the water encroached upon the property, forming a sort of promontory. Hence when Tom set out in a northwesterly direction, he was moving in a roughly diagonal line ever approaching the house. At first this surprised me, and I thought he had made a mistake in his path, but he kept on for some six hundred yards until he reached the pheasant pens where, as he indicated, he had first spotted Hirstein. Still following the diagonal, he went on until we stood on a rocky barren piece of ground, well north of the dock but much nearer the house itself. Here Tom paused in his rapid walking and pointed to the just visible boundary some fifty yards beyond.

"There is where he got away, right over the barbed wire fence. You can see why I felt pursuit was useless —the woods are thick and afford excellent protection to a fugitive."

I left the two men together, the Sergeant asking questions and flashing his light over the surrounding territory. As I hurried on to the house, I was trying to get a clear picture of what had actually occurred, because for some reason, not at once apparent to me, I had originally believed Hirstein had sought the shelter of the woods farther along the boundary line, much nearer the point where my hypothetical line from the dock would terminate. Now that I had been out here to look for myself, I realized that such could not be the case, for the land around there would have afforded no real shelter and Tom would certainly have been quick to follow and apprehend him. I clapped my hand to my head, struck by a sudden thought. What shot had I heard, then, the one which killed Cyrus, or one of the two fired up here? I could not get it out of my mind that I had heard Cyrus killed—yet Tom certainly fired nearer the house and it should have been his pistol which had so surprised me. But there was still the question of direction. Hirstein must have shot the old man before Tom had ever come down by the pheasant run—and then I could not possibly have heard the firing, for I was not even on the estate at the time.

I must have been walking swiftly to keep up with my thoughts, for I was the first to reach the house. As James let me in, I knew I must tell him what had occurred and it took me some time to get him quieted down. Like all his race, he highly dramatized any death, and a violent ending was strong meat to him. His white eyeballs rolled around in his black face until I expected to hear them click like a china doll's, as he searched every nook and corner of the shadowy hallway apparently fearing that some ghoulish killer would materialize at any moment. When he did finally arrive at coherent speech, his comment was illuminating as to the habits of the gentry he served.

"Yessuh. You all go right in the gun-room, suh, and Ah'll fetch a whiskey soda. Ah reckun the po-lice would care fo' some, too."

As I turned to follow James' most excellent advice, I observed that there had been a listener to our conversation. Charles was standing in the doorway of the gun-room, his clenched knuckles showing white against the dark woodwork.

"Breaking the news, eh?" His impervious gambler's mask was an emotionless blank. He turned his back on me, striding into the room ahead of me and throwing himself into an easy chair, from the depths of which he spoke again. "Give me a few details."

I sank into the luxurious Cogswell chair in front of the fire and stretched out my hands to the blaze. Then I gave him a careful reconstruction of such facts as I felt were due him, keeping to myself all mention of the shot I had heard. He listened until the end, then, throwing his cigarette into the fire, he faced me and remarked, "Jolly ending to the invitation the old man gave you, isn't it? Or shall you shoot tomorrow just the same?"

I did not answer what appeared to me as a heartlessly flippant question. So far, I alone seemed to feel any grief at Cyrus' untimely end; even James was primarily struck by the drama of the situation. All too evidently, Cyrus, no matter what his good qualities, did not inspire any very loyal affection in those nearest him.

Charles and I had little to say to one another, once I had finished my explanation of how his uncle had met his death, so we sat in silence awaiting the arrival of James with the promised refreshment. Just as the butler came bearing his tray, Tom and Sergeant Lyttle entered. It was over their tall glasses that the cousins exchanged their first words regarding the tragedy which had cast its shadow on Bayside. In response to a long level look from Tom, Charles nodded his head. "The family solicitor has broken the news all according to Hoyle. When do we start chasing your thug?"

Sergeant Lyttle replied with dignity, "The search is being conducted by my men. I am waiting here at the house for the arrival of the police surgeon and also the reserves who are due any moment. It seems very likely that while Hirstein cannot get very far in the woods, he can conceal himself very effectively against a handful of men. However, if you wish to join the party hunting him, I'll instruct the troopers accordingly—I can easily understand how inaction might be difficult for you and Mr. Thomas."

There was a strange look on Tom's face, an open grin on Charles'. "Wrong again, my dear Sergeant. I haven't the slightest intention of going out to comb through the underbrush. I was merely curious to find out why you were not doing your duty with your brave boys."

A black look spread over Lyttle's countenance and his left eyelid drooped and twitched angrily. Tom spoke up promptly. "I am sure the police are doing all they possibly can, and I think the house is the place for both the Sergeant and myself. We must establish a headquarters somewhere, so why not here in the gunroom?"

I looked up suddenly and saw a dark form standing in the doorway. It was Edwin, returned at last to complete the family circle, save for the one who would never come back. His slow, pedantic voice sounded unwarrantably loud and irritated.

"What is going on around here? There is a carload of troopers at the back door."

Lyttle set down his glass and hurried out without explanation. His reserves had arrived to conduct the search of the woods. The rest of us looked at each other, waiting for some one to speak. Edwin said again, "Well?"

Then I took upon myself once more the duties of spokesman. "Tom saw a tramp hiding down by the pheasant run. He came up to the house to get his gun, and had me send for the police while he went out for the man. He got away after firing a shot at Tom, but as he turned to aim his pistol Tom recognized him. It was Jim Hirstein, as Tom had suspected when he had me call the police. Tom fired back, but didn't hit him, and he escaped into the woods where the police are now looking for him. Meanwhile a search of the grounds was made and the body of your uncle was found." I stopped, not knowing what else to say.

Edwin's cold little eyes were darting from one to the other of us. "All I gather from your recital, Williams, is that Hirstein aimed at Tom and hit Uncle Cyrus. Or was it the other way about? Where was Uncle Cyrus, what was he doing, and who was the man who rushed out when I came in?"

To my intense relief, Sergeant Lyttle returned in time to catch Edwin's questions and he obligingly took up the tale.

"My name is Lyttle, Sergeant in the State Police." He held out his hand, but Edwin seemed oblivious of the gesture. "Of course, we are not sure who killed your uncle, but we found the body down by the boathouse, whereas Mr. Thomas encountered Hirstein a third of a mile from that spot. You know, Mr. Evans, when a known killer is at large, a man whose own death will result from his apprehension, it is not surprising to find murder in his wake."

Charles' mocking tones broke in, "Really, Sergeant, you are not so explicit yourself. You'd better let me break the news to my brother. Edwin, old son, you may have gathered that our revered uncle did not die of apoplexy, heart failure, or chronic dyspepsia, or any of those ailments which I have expected would carry him off to his reward any day. He was murdered, and Williams is my authority for saying he was shot in the back, so I don't suppose it is the question of suicide which is worrying the amiable Sergeant and causing him to stick to us like a leech."

It was horrible to hear Charles running on that way. I wondered if he were really as callous as he seemed, or if, perhaps, he chose this almost juvenile form of expression to relieve his natural worry and nervousness. I looked at Edwin. He sat down suddenly as if his legs would no longer support him, but, in spite of the shock, I could detect no signs of grief. When he spoke, his voice was absolutely unchanged from the first time he addressed us.

"Hirstein killed him, of course. How long has he been dead?"

"That, as well as the caliber of the bullet, will have to wait on the arrival of the doctor," said Lyttle, and, as if these words were the signal for which he had been waiting, James came in to announce that the police surgeon had come. Lyttle excused himself and went out.

I gazed after his retreating back and then addressed myself to Tom. "What was he looking for when I left you?" I was referring to the way the Sergeant had been flashing his light around on the ground.

"The ejected cartridge from my forty-five," Tom replied briefly.

I almost made the error of asking why, and then caught myself in time to modify my remark, "Why—er—did he find it?"

"No." The answer was very short. Edwin began to laugh.

"So the Sergeant thinks there should be some explanation as to why, when the police have been searching high and low, Hirstein finally comes to light on his lawyer's estate? It doesn't look so very good, Tom."

Charles interrupted suddenly, "Did they find the shell beside Uncle Cyrus' body?"

"Probably not," I replied, anxious to smoothe over what looked as if it might develop into a quarrel between the cousins—for I had caught the black look Tom sped toward Edwin after the latter's remark. "It would be difficult to find, since we don't know where the killer stood. When the doctor has examined the wound, he will be able to hazard a guess about the direction the bullet took, and then the ejected shell will be found within six or eight feet of the spot where the assassin stood."

No one paid me the slightest heed. Charles went on talking to Tom.

"You know, Tom, if it weren't for the Hirstein angle, I'd find your tale a bit difficult to believe myself.

The general run of tramps around this place is so sadly harmless and meek it taxes my imagination somewhat heavily to picture one of them carrying a gun, much less actually using it." He got up and sauntered out, as if to let us digest his last comment.

Edwin gazed after his departing brother and then stood up himself. "I'm for some dry clothes and a bit of food. How about it, Tom? At least I suppose you are head of the house now—do we eat at all under the new régime?"

Tom jumped up hastily to his feet. "I'll go see James right away and get him to fix up some sort of light supper so we can all eat as we feel like it."

He departed on his errand, leaving me alone in the shadows of the gun-room. In a short while the Sergeant reappeared, looking very grave indeed.

"Pardon me, Mr. Williams," he said, "I see you are alone, so perhaps you will let me take down your story of this afternoon."

I told him in detail all about my arrival, why I had come down on the early train, and then I mentioned, somewhat diffidently, my hearing of the single shot. Lyttle no longer seemed to regard my testimony in this field as irrelevant; indeed, he questioned me about it, asked me if I had any reason to doubt my hearing or my ability to draw deductions from it, and under his sympathetic questioning I quite expanded and confided in him some of the curious doubts which had come to me since my discovery that Tom had shot at Hirstein from a point actually nearer the house than the dock. Lyttle nodded and finally asked me, "Did you hear any other noise, at any time, which might possibly have been gun-fire? You know, for instance, when you were getting out of your taxi, you might have mistaken such a noise for back-fire."

I shook my head. I had heard nothing. Raising his hand as if to hide the drooping, twitching eyelid, Lyttle said, "Mr. Williams, the doctor tells me that, without doubt, Mr. Evans was killed during the time you were at the house. And he was killed by the bullet from a forty-five; so I am beginning to think you actually heard the shot which killed him."

Startled, I protested at once. "But that is impossible. According to Tom's own story, he had Hirstein in sight then. Hirstein couldn't have been down at the dock at that time and then have gotten back to the pheasant runs when Tom got there; he must have killed Cyrus before Tom came to fetch his pistol."

"You would think so, wouldn't you?" Lyttle replied in an absent-minded fashion. "The doctor says absolutely no. Still, the medicoes can be mistaken and, no doubt, when we get Hirstein we'll get his explanation. After all, it isn't a question of getting evidence to convince a jury. He's already guilty of one murder—he'll never go to trial for this one."

I fell to thinking. There was something about this I didn't like. Could it be that the police thought there was something queer in the presence of Hirstein at Bayside, even as Edwin had insinuated? Surely they knew Tom; although he represented the bandit as counsel he would never risk anything as unethical as protecting him after his escape. My reverie was broken abruptly as Lyttle asked another question, the one he had held in his mind from the beginning, I think.

"Tell me, Mr. Williams, can you think of any reason Hirstein should choose Bayside as a place of refuge?"

I was prepared for the inquiry and ready to defend Tom from the insinuation. Heaven above!—what a horrible retribution had been visited on him if he had knowingly offered sanctuary to his erstwhile client!

"I should think Hirstein had chosen the worst place in the world to hide," I stated frankly, with an honesty I hoped would carry conviction. "To begin with, Cyrus Evans, in his lifetime, guarded the repute of his family and his property so jealously that not a breath of scandal should touch them."

As plainly as if he had spoken, I knew Lyttle was thinking of the reputations of the two brothers. I hastened to clarify my statement. "Whatever reckless acts have clouded the name were not done here at Bayside, were not done where Cyrus would be able to nip them in the bud as he surely would. Tom has that same sense of reverence for the family reputation, and the two boys were not in the position to flaunt their uncle's wishes openly."

Lyttle seemed amused. "I have not suggested that any of the family connived at hiding the fellow."

I drew a deep breath of relief. Charles and Edwin entered together, and I hoped their arrival would terminate our unwelcome conference. The Sergeant, however, addressed them at once.

"Ah, gentlemen, Mr. Williams and I are discussing the strange situation that has arisen. Most amazing to find this long-sought-for criminal actually daring enough to hide himself at Bayside! You'd think that was one place he'd stay away from, since, if Mr.

Thomas saw him, he'd unquestionably recognize him and turn him over to the police at once."

I saw Edwin steal a covert look at his brother. "Exactly what happened, wasn't it? As a matter of fact, the servants have been saying for days that some one was hiding on the place, and it seemed to me that Tom kept the rumors alive by his own actions. I think it is poppy-cock myself; probably wasn't Hirstein at all."

"Careful, son," cautioned Charles lightly, "Can you name, off-hand, anybody else in this sacred county who is apt to wander around armed and take pot-shots at people for no good reason? You'd better rejoice that Tom got a good look at him and was able to identify him; otherwise, our Sergeant friend might be inquiring into your own activities a bit too closely."

I thought Edwin changed color; at any rate, he was very angry for he snapped, "Well, armed thugs are more in your line."

Charles replied very sweetly, "That's right, this wasn't a bank robbery, was it?"

Just what might have happened next I can't say, but fortunately Tom came into the gun-room with the welcome announcement, "Food in a few minutes now. James will bring it in here."

Then he stopped to look at the two brothers curiously. I made a desperate attempt to save the situation. After all, we had one topic of conversation sufficiently enthralling to overcome personal quarrels.

"What is your theory of the murder, Tom?" I asked, heedless of the Sergeant's presence.

Tom answered promptly. "Why, it is obvious. Hirstein had been hanging around waiting for a chance to make off in the cruiser. Dad brought her up with the engine throttled down, while I was up at the house after my gun. Hirstein went over, shot Dad, but when I came out the second time, he fled to the woods, thinking, of course, that I had seen what he had done. Now I think he is hanging around the woods waiting for a chance to get back to the cruiser. Is the boat being watched?" he broke off to ask.

Lyttle nodded and I noticed his betraying eyelid. As for me, I had listened to Tom's story in utter amazement. Could he really believe it himself? Why, in the first place, should Hirstein want to go off in a boat by himself, or, presuming he was a skilled yachtsman, or, more likely, intended to pick up an accomplice to run the boat for him, why should he shoot the owner, when, by waiting until dark, he could make off unseen? Even if we laid these unaccountable actions to an unbalanced mentality, still Tom's theory fell down on both the time and the place elements. It presupposed Hirstein flitting back and forth, aimlessly but with lightning-like speed, over say some six hundred yards. No, if Hirstein shot Cyrus, then he was not down by the pheasant pens when Tom came out the second time; and, if it were not he whom Tom chased, then why did the tramp turn and fire at his pursuer? Were we to suppose the joint presence of two tramps of desperate character?

At this moment James created a pleasant diversion by entering with two trays of food. It looked good to me, as I realized for the first time that I had not eaten since I left Baltimore. The butler set up a small table and produced cold meats, a salad and coffee. Tom courteously suggested that we summon Starr and Brown, the only troopers left near the house, and they came as promptly as if they had previously scented the food. Their appearance gave me a sudden idea.

"Was the doctor able to judge from the path the bullet took from what direction it came?" I asked.

Starr nodded, his mouth already full. "If Mr. Evans was coming up the path from the boat, as we think he must have been, the killer fired from a point to the right of the path."

"The right?" I said meditatively, seeking to stabilize my mental picture of the place.

"The lumber-pile, Sherlock," explained Charles. "But I forget, you haven't been here since the repairs to the dock were made. The carpenters left their lumber down there until they could get back to rebuild the boat-house. Lord knows, it ought to have been done long ago, but it wasn't, so there you are—a convenient shelter for the murderer, no clues, no footprints."

Starr, who seemed to be the most communicative of the troopers, spoke up. "I think he came down to see the body though. There are pine needles all around there, and they look sort of scuffed up like. We looked around the lumber-pile as soon as we found the body, but there weren't nobody around, then. Only one thing, me and Brown don't either of us see how Hirstein could have hit Mr. Evans from there. It's all of forty yards, maybe more, and Hirstein never hit anything, unless it was a point-blank shot, and then he used a couple of machine guns."

The more silent Brown agreed with his buddy by sundry nods of the head. "You are sure it was Hirstein, aren't you?"

"It was he without any doubt," Tom replied shortly.

"Maybe he has been practicing," Charles remarked politely. "We have a nice range down that way for pistol-shooting. Look here, we don't have to preserve this funereal air, do we? I'd like to get the sporting news over the radio, if no one objects."

No one replied, so he walked over to the radio and turned the dials. We listened in silence to the sports reporter, although I doubt if any of us, save perhaps Charles, was paying much attention. Then the program broke off and after a minute continued, "We have a special A. P. dispatch of great interest to our Maryland listeners-in. This evening at Washington, D. C., the Baltimore police identified Jim Hirstein, the notorious bandit who broke jail in that city last week. He was picked up yesterday and held for vagrancy until his identification."

The news broke over me—as it must have done over the others—like a great wave. A dozen thoughts went tumbling through my head. Hirstein had not been at Bayside this afternoon. Tom's bandit now became a hazy, incredible figure; and my evidence assumed weighty proportions.

CHAPTER FOUR

WHEN I awakened next morning the sun was shining brightly. Fourteen years before, the morning of the Armistice had dawned, but unfortunately all it meant to me today was the necessity of postponing the inquest until the holiday was over. After the dramatic announcement on the radio the night before, Sergeant Lyttle had requested us to remain at Bayside until the inquest could be held, and had then withdrawn himself and his troopers from the house. Even the men searching the woods had gone, although a guard had been maintained around the estate itself during the night.

While I dressed leisurely, since I was in no hurry to face any of the family, I pondered as to whether the news of Jim Hirstein's capture had caused the police to discard entirely Tom's story of the tramp. Obviously, if Hirstein had been in jail twelve hours before his identification, he could not have been at Bayside yesterday afternoon. On the other hand, from what I gathered of Sergeant Lyttle's methods, he would not toss lightly into discard anything which might be proved later to have some truth in it, if to do so would cast discredit on the inmates of Bayside. He would move very cannily, having us all up for investigation and questioning. This made my part the harder, for I was now willing to admit to myself I had never placed any great belief in the existence of the tramp. As long as there was the possibility it might be Hirstein, I clung to the thought that, no matter how impossible the tale might be, it was still probable and, anyway, any solution which exactly fitted the facts was going to be hard to find. On the other hand, I had been at the house all the time the tragedy was taking place and I had no proof, save Tom's word, as to there being at any time any sign of a tramp. To put it bluntly, it was Tom's unsupported word against the contrary testimony of my senses. But why else, save that his story was true, would Tom risk the telling of it? Surely, he could not think it sounded plausible, he who in the courtroom had attacked countless better tales than this one and torn them into shreds? When all was said and done, the events of the afternoon, as he related them, served in the face of evidence against them to cast suspicion in his direction. I had reached this point in my argument with myself the night before and taken a resolution which was later to bear fruit. The time was coming when I must get into communication with my chief. Very well then, I should write down everything that had happened at Bayside, the conclusions I drew from those events and my line of reasoning, all while it was fresh in my mind. If I could do my job well enough, then when John Patrick returned he would have something to go on, almost as reliable and valuable as if he had been present himself from the very beginning. So I sat down before I went to bed and began my task.

The next day I thought over what I had written the night before, to see if I could figure out what line of action the police would adopt. I was handicapped here by my meager knowledge of police procedure, but I was forced to admit, in spite of my own feelings, that Tom must certainly be considered a suspect. Now, I was willing enough to doubt the story of what had actually happened, but it was one thing to think him a liar and a far different thing to call him a murderer. Yet my commonsense told me it was quite likely he fired the fatal bullet and, if I were a member of the police, it seemed to me I must surely believe he did and concentrate my energies on finding out when and why.

Was it an accident? Were Tom's subsequent actions a hastily conceived, illogically practiced, scheme to conceal an accident?

Right here, my knowledge of the man himself answered those questions beyond the shadow of a doubt. Thomas Evans never in all his life did anything without a definite reason for it; never was he, the coldest and most straight-thinking man I had ever known in my whole career, to be stampeded into garnishing a wild story with wilder embellishments. No, if Tom had been lying about the tramp, he had done so for a definite purpose; an accident fitted nowhere in the picture, so I gave it up and faced the fact that if Tom shot his adopted father he did so deliberately.

Was Thomas Evans capable of committing murder? Well, my acquaintance with murderers was limited to what I had read about them, but no lawyer goes through life without gaining an insight into human nature which would surprise a trained psychiatrist. A lawyer, even if he limits himself to testamentary and advisory business as I had done, comes to recognize how greed, hatred, lust and revenge run in subterranean channels through the highest and the lowest of us, breaking out occasionally, but more often remaining hidden from all in the whole world save the man in the legal profession. I knew how, beneath Tom's suave, cool exterior there ran a hard granite streak, which took no heed of sentiment and knew no fear of moral codes. What it all boiled down to was this—Tom would commit a murder if he saw no other way out of the dilemma. Well, I thought immediately, who of us could be sure that we ourselves would not, provided the circumstances were sufficiently impelling?

I went down to breakfast revolving gloomy thoughts in my mind. At Bayside we followed the custom of the English country house with a few American improvements. Breakfast was placed on the buffet, and the guest was expected to wait on himself. I poured waffle batter on the electric iron, connected the coffee percolator, then, slicing off a thin piece of Smithfield ham, I sat down to wait until my meal should be ready. A shadow fell across the doorway and Sergeant Lyttle walked in.

"Good morning, Mr. Williams," he began. "I've been waiting to have a few words with you. Just a few questions, you know, to keep my records straight." In the days that were to come the last phrase became a by-word.

What followed was an examination and cross-examination which would have done credit to Tom himself when he was trying a case. It was a repetition of yesterday, only this time the trooper was trying harder to break down my testimony. I told again the story of the single shot, and reiterated my own belief, not only in what I had heard, but in my own ability to draw correct conclusions from my hearing; and in that connection I swore as to my skill in distinguishing the type and caliber of the gun, within reason, by the sound of the shot. I think I acquitted myself of the ordeal rather well, and at the end I ventured to put a few inquiries myself to get an idea of what theory the police were working on.

"Has any sign of the tramp been found?"

"None," replied Lyttle shortly. He was not given to showering information around.

"Have you checked the possibility of some servant being out at the time?" I rushed this in hastily, although I knew all of Cyrus' servants too well to have an instant's suspicion of them. In fact, most of the colored people whom I knew would rather traffic with the Prince of Darkness himself than with a loaded forty-five.

Lyttle had the same idea about the race. "As a matter of fact, Mr. Williams, I have checked up on the whereabouts of the servants. The outside men were in town for the afternoon, James and the gate-keeper were together waiting for the police, and the other inside servants are women. As for any negro shooting Mr. Evans—well, you know the war-time anecdote of the negro regiment quartered at Brest? The tale goes that when the war was over the town wished to present the troops with pistols in token of the appreciation of their allies, but the colored spokesman said, "No, suh, Boss, jes' remember we doan' want no guns, but if youalls want to give us some sort of weapon, we suah could use a razor."

I glanced at Lyttle out of the corner of my eye. He grinned cheerfully. "Oh, well, I'll admit the story is somewhat apocryphal, but it expresses my feelings."

I was not to be side-tracked thus easily. "You mean, then, that the choice of weapon makes it a white man's crime?"

"Yes, among other things. It was quite a shot, you know, when you consider the fog and darkness."

"How about suicide?" I asked not very brightly, but with intent to draw him out.

"A bit difficult since the bullet entered the back and no weapon was found. Incidentally, no discharged cartridge was found, either."

The conversation had taken away my appetite and I rose from my hastily consumed breakfast. It was impossible not to see where these clues were leading. Sergeant Lyttle got up when I did and, after a moment's hesitation, asked me if I should care to assist in the examination of the gun-room.

"Examination of the gun-room?" I repeated incredulously. "What on earth for?"

"We are endeavoring to discover whether there is a possibility that the gun used came from there. You remember yesterday that Mr. Thomas himself suggested our making the search."

I did remember, and this was bringing the whole thing too close to the house for my liking. By using the same deferential tone in speaking of Tom, Lyttle almost convinced me that the police reasoning had not followed mine in direction; but then his next words, uttered as if in warning, lessened my assurance.

"We have, of course, taken Mr. Thomas' own gun, since we know it was fired yesterday."

I said nothing but led the way down the hall. The gun-room had always been a place of fascination to me, and especially the long, glass-enclosed case of pistols and revolvers which had been the principal pride of my old friend. I suppose I ought not to admit that a studious young corporation lawyer could be captured by the glamour of a dusty case containing oiled and polished steel and wood, but the truth is, I like to dream that perhaps some few particles of dust had been blown down by the winds of time from the old trails of the West, the far places, or even the battlefields of France which were not unknown to me. These were old guns, made by the loving hands of men long dead, guns that had played their part in high adventure, man's guns, heavy, large-calibered, and made by man to hunt his most dangerous enemy. They were placed in a long row and their muzzles seemed to stare like a round-eyed jury, silently waiting to render an irrevocable verdict of life or death.

The foreman of this jury, ancient yet able, was one of the grim advocates of Samuel Colt, who made all men equal on the old frontier. It was a solid-frame, single-action revolver with a small trigger-guard and the sweeping line of grip which had made it the chosen tool of John Wesley Hardin when he etched his name on the history of Arizona in soft and stinging smoke. There were six grim nicks in the left grip, placed there by hands now dust, and there was about a half an inch of uncut wood—the unfinished story of Tombstone and Billy the Kid.

Lyttle scarcely paused at the pistol case, as a single glance was enough to inform him that the fatal bullet did not come from such guns as these. He was interested neither in daydreams nor in ancient pistols, and listening to his remarks I quite forgot how the heavy Colt had been fitted with a new hammer and cylinder, cunningly made by skilled craftsmen to be an exact duplicate in appearance to the old, and yet fashioned to shoot just such a cartridge as had sped the bullet into the back of Cyrus Evans. Charles had always asserted that the only thing such a gun lacked was modern ammunition, and with it he could outshoot any of the new military automatics; he had made the change to prove his point.

But Charles' convictions never entered my mind, nor did I see where a little reasoning might have led us. I forgot about the gun's having been remodeled, and I have wondered many times since what the outcome would have been, had I remembered. I do not believe it would have made any difference, we might have understood at that stage—but I do not know. Yet a life might have been saved, could we have correctly detached a single fact from its surrounding haze of emotions.

"What other forty-fives are there in the house?" Lyttle wanted to know, and I brought back my wandering thoughts.

"None save those the boys own."

"Are you sure? Both brothers showed me their guns."

"Quite." I was surprised at what he told me.

"May we go to your room?" he asked suddenly. "I want you to hear something James has to say, and I'd rather conduct the interview where there is no possibility of interruption."

Somewhat surprised, I consented and we went up the stairs. Lyttle paused to speak in a very low tone to one of his men.

As soon as the door of my room was shut, the Sergeant turned to me and all at once dropped the mask behind which he had been hiding.

"Look at here, Mr. Williams, you are the Evans' family lawyer, aren't you?"

"Not exactly," I answered cautiously. "I am junior partner in the law firm which has handled Mr. Cyrus Evans' affairs for many years."

"You know the whole family though?"

"Yes, of course. But since my senior, Mr. Vaile, does most of the business of the Evans' estate, I may say my contact with the family has been more social than professional. However, I was joint executor in the matter of Mr. Edwin's and Mr. Charles' inheritance."

Lyttle considered this a moment. "Well, I suppose if there were any trouble, they'd retain you as a lawyer."

I was on guard now. "Naturally, I presume so, provided the trouble had to do with the estate."

The Sergeant immediately withdrew into his shell.

Lyttle's mental processes not infrequently resembled the contortions of a snail—one moment he was tossing his head in the breeze making rapid advances, the next he was snugly withdrawn in his fortified castle.

James came in at this moment escorted by two troopers. He was very ill at ease and uncertain as to how to conduct himself.

The Sergeant turned to him. "Now, James, I want you to tell me just what you did earlier this morning."

"Ah already done tole you every single thing Ah know."

"Well, I want to hear it again."

"All right, suh." The negro knew better than to try to account for the peculiarities of the whites. " 'Spose you all just start me off what you want me to tell."

I suppressed a smile at this. I rather doubted if the police would get much out of James—but in this I was mistaken.

James' story coincided at first with what I already knew. He had gone to get Tom's gun, as he was ordered, and then had gone down to the lodge gates to await the troopers. The story of the man on duty down there, as Lyttle afterwards told me, coincided with James'; of course, neither of them had heard any shooting.

"Now, you say you gave Mr. Tom his gun. Would you know that gun again if you saw it?"

"Yes, indeedy. Mr. Tom doan let nobuddy make no mistake about his gun. He got it out to Camp Perry fo' bein' the bes' shot in the world—it say so, right on it."

"It doesn't say quite that, but it's the same idea. Now did you examine the gun before you came downstairs?"

"No, suh; Ah wouldn't 'zamine it none. Ah jes' opened out the clip to see was it loaded."

"And was it?"

"Yessuh. The magazine was full up. Ah looked 'specially fo' Ah once sent Mr. Cyrus out without enough shells, and he like to never got over the goose he shoulda had but didn't have no shells fo' it."

My heart sank at the implication of James' words, and the fact that Lyttle had seen so clearly the obvious deduction to be drawn from them. To be sure, Tom had admitted firing the gun, but the admission was made before the situation became so grave. Now the story was made irrevocable with a witness to substantiate it. One gun and one only in Tom's possession. He had gone out with a full clip and had come back with one shell fired.

"That is all, James." As the butler went out, Lyttle turned to me. "Do you consider the butler a reliable witness?"

I had to admit that he was in this case. He had worked too long for a family more particular about their guns than their manners to make any mistakes along that line. If James said the gun was fully loaded when he gave it to Tom, then fully loaded it was.

While I was frankly confiding my opinion to Lyttle, I heard a shot ring out. I paused in my conversation, startled and afraid.

"Some one is shooting down by the dock," I said after a moment, moistening my lips with the tip of my tongue. And then before I had ceased speaking, I heard another pistol fired.

"That is over by the pheasant pens, near the northern boundary," I almost shouted, turning my face in that direction. The second shot was much louder.

"Which shot was which?" Lyttle inquired somewhat stupidly, I thought.

I explained again. "They were both forty-fives," I added. "The second one was fired close to the house."

Lyttle looked at me strangely. "Never mind, Mr. Williams, it was just an experiment my men were making."

Reluctantly I settled back in my chair, for I admit I was frightened, but Lyttle took up the conversation where he had left off.

"You see where I am," he went on quietly. "Mr. Thomas Evans left this house with a forty-five automatic fully loaded, and he returned with the same gun fired once. You heard one gun fired from the southeast, the spot where Mr. Cyrus Evans' body was discovered some minutes later, with every indication that he had been killed at the time you heard the shot. I can find no evidence to support the rather unusual story Mr. Thomas puts up to account for his movements, but I have cross-examined you until I am sure you are telling the truth and are going to stick to it. If I accept your evidence, well, I simply have to discard the other."

"You found no empty cartridge-case ejected from the gun near where Mr. Thomas says he stood?"

"No empties have turned up anywhere," sighed the Sergeant. "I tell you frankly, Mr. Williams, I am up against a case I don't like at all. I've never been assigned to a murder committed at a place like Bayside with people like the Evanses mixed up in it. Talk about a suspected man needing a lawyer, I need one myself."

I laughed at him, but was secretly delighted to think I had his confidence even to this extent. I made another suggestion. "It does look mighty black against Tom, but after all, it is only the evidence of the gun and the fact you think he put up a thin story to account for himself. You have to have more than bare suspicion to arrest a man of Tom's caliber."

"You think so?" he murmured in a voice more distracted than polite. "Look here, Mr. Williams, there are more than fifteen modern pistols and revolvers in the gun-room downstairs, every one of them in good working order. Now say, for the sake of argument, you were going out to shoot somebody—you know, a tramp, or anybody—would you send upstairs for a special and easily identifiable gun?"

"There are only three forty-fives down there. I suppose I might send for the gun I liked best."

"Why not take Mr. Charles'? He says it was there."

I refused to answer, fearing I was being drawn on a bit by this young man, who only a moment ago seemed to be giving me his confidence. Lyttle continued as if to himself, "Of course, it is possible Charles really had his gun with him yesterday; that young man will have to do some talking in the Coroner's court before I am really sure of this case. Say, by the way," he broke off, "every one of these men uses a forty-five. Such a heavy-caliber weapon is an odd preference."

I smiled, for I could answer the implied question out of my knowledge of the Evans' family idiosyncrasies and I was glad to divert Lyttle's mind from the course of thought he was pursuing.

"Like the Canadian Mounties they get their man. They rarely use a forty-five for target shooting any more, but if they go about armed it would never by any chance be with a lighter caliber."

The policeman frowned in bewilderment, "I don't see why."

"Do you know why the Army uses a Colt Automatic forty-five caliber pistol as regulation gun?"

Lyttle shook his head.

"Well, then, here's the story and it is a true one. Years ago the Army thought that a thirty-eight revolver was large enough to stop a man and stop him quickly. There was some difference of opinion, some officers maintaining they should have a more powerful gun, but it took a little brown man in the Philippines to settle the question. He ran amuck. He slithered into an evening crowd with a two-foot bolo, cutting, slashing and gibbering. The screams of the women attracted the attention of an Army officer quartered in that section of the town, a friend of mine by the way, and he ran out with his regulation thirty-eight. He fired three shots and hit his man three times in the body and couldn't stop him; then he threw the gun at him, dodged the bolo and grappled with him. They fell to the ground and the officer hammered him over the head with a stone; they rolled into the stagnant water of a dirty drainage ditch and the harrassed Captain held his opponent's head under. The native died from drowning, not from bullet wounds."

Lyttle looked at me for a space of time. "I see your point," he remarked thoughtfully. "If Mr. Evans was going after a hard-boiled killer, he would get the largest gun he had, something that fired a heavy bullet. Well, I shall spend the rest of the day looking for the person he says he fired on; after that, it is up to the Coroner."

After the Sergeant had left me, I wandered down to the gun-room, for I felt that was headquarters and I would get the first news of any new developments if I remained there. Before long Edwin strolled in.

"Well, Williams, nice mess you've landed in."

I agreed and he went on, "Still stick to your story about the one shot?" Apparently every one knew about my dilemma. "It is mighty tough on Tom, you know."

I couldn't see what else I could do, save abide by the tale I had already told, and I said so. "I am honestly as much surprised as any one that I didn't hear the other two shots," I concluded.

"It doesn't seem possible," Edwin remarked idly.

"No, it doesn't," said another voice dryly. Charles came in the door. "Where is Tom this morning, anyhow?"

"Last I saw of him he was down by the dock, examining the lay of the land," Edwin replied.

"Still down there, I guess, then," said Charles lazily. "I was down there myself for a while. They seem to think the villain in the plot stood behind the wood-pile to fire, so they took the whole thing to pieces to see if he'd left his name written on it anywhere. I left for fear they might put me to work putting it together again. Tom turned to and worked like a Trojan, but not so me—I am content with my role of humble onlooker. Say, how does one work like a Trojan, anyhow? Weren't they the johnnies who captured the beauteous Helen? Just where did the idea of work get connected with them, do you suppose?"

"Here comes Tom now," I interrupted the classical reverie hastily, glancing out of the window. Charles came to my side and opened the French doors to let his cousin in.

"Hello, old man, still pursuing your friend, Hirstein?"

Tom frowned heavily. "Look here, Charles, this is no subject for jest. It's up to all three of us to get out there and give the police as much help as we can."

Edwin looked up. "I wonder how much help you'd like to have us give them really?"

"What do you mean by that?" Tom asked sharply.

Charles intervened with glee. "Edwin never means anything—verbal evasion is his specialty. I'll tell you one thing, though, Thomas, old scout, you sure got an awful break when you identified your duelling opponent as Hirstein. We might be able to get together and convince the police that our honored guest, Bob Williams, is totally deaf and had mislaid his ear trumpet this trip, and get around his evidence that way, but it sure was careless of you to pick a man already in jail and swear it was he at whom you were shooting."

Tom was angry now, so angry he failed to realize that a fifth person had joined us. Sergeant Lyttle stood in the doorway, listening to every word.

"Now get this straight, you two human sponges; you are taking it for granted I shot the old man. I'm not so dumb, I tell you, but, even if I were, you can cut out this line of chatter if you know what is good for you. You both know how the will reads—I'm master here at Bayside and you can act accordingly, or get out damned quick."

"I'm not so sure you're master here now," sneered Edwin. "Bayside won't do you much good if you get in jail over this thing."

"I'm not going to jail," Tom shouted. "And even if I did go, I wouldn't be there long, and I'd see to it you weren't in Bayside when I got back."

"If you go to jail," mocked Charles, "it will certainly add to the distinction of the family. The old man had the devil's own time keeping my sacred brother from behind the bars—"

"Shut up," snapped Edwin. "You can't say anything while you have that gang of bootleggers hanging around. I've been expecting trouble of one sort or another for a long time. If you choose your friends from the jailbirds, you mustn't be surprised if people connect you with what happened yesterday."

"Same to you handsome," returned Charles airily. "Banker or bootlegger, what matter if neither of us was around here yesterday?"

Lyttle turned to leave the room and I followed his good example. Acrimonious words from the gun-room floated down the hall after us. I mopped my brow. What must the police think of a family scene like the one back there? Moreover, I wasn't at all sure that neither Charles nor Edwin had been on hand at the time of the murder, and I knew their motives might well have been as strong as Tom's, provided my guess as to the motive were correct. If it hadn't been for Tom's ridiculous story of the tramp—I shook my head and buried myself in the library to pass the time until tomorrow's inquest.

CHAPTER FIVE

I HAD hoped that the inquest might be an informal affair, taking place at Bayside itself where the quiet dignity of the house might subtly influence an obsequious jury into rendering an open verdict; for by this time I was beginning to fear the results of a too-direct inquiry into the matter of Cyrus Evans' death. I did not wish to stifle Justice but, on the other hand, I would not be the one to advocate snatching the bandage ruthlessly from her eyes. There is a certain decorum to be preserved in such affairs.

To my surprise and against my advice, Tom acquiesced to the police suggestion, to hold the inquest in the neighboring village; Cyrus Evans' body reposed in the mortuary there, and the troopers advised that such a course would be both natural and convenient. But it was not the undertaking parlors which were to be the setting for the next act of this drama—indeed, no less a place than the town hall had been selected by the Coroner for his great opportunity.

In my branch of the profession we must study personalities, as well as the law. The Coroner I knew from hearsay as a peculiar and difficult sort of a person. The adjective, *heavy,* comes into my mind whenever I think of him now—it describes him physically and summarizes his mental equipment very accurately. A lumbering, dour doctor, more able at politics than at medicine, he was accustomed to rail against those more fortunate than himself, claiming it was luck and unfair practices which kept him down, permitting others to rise above him. This inquest was to him a heaven-born chance to bask in the limelight of publicity, so dear to his soul, and I knew he would heckle and bully his witnesses as far as he dared, thinking such tactics would redound to his credit and yield him kudos in the eyes of the public. No open verdict would he give, for thus would he lose his chance to see his name blazoned in the papers.

I reached the town hall early, choosing to ride over with the police rather than accompany any of the family. The musty ante-chamber where the inquest was to take place was on the floor above the town jail. The only prisoner, a big, shiny, buck negro, serving his usual sentence for drunken and disorderly conduct, had been released on the occasion to serve as usher and ceremonial guide. I was rather amused at the novel idea of a parole, but after all the jailer was justified in his action, for why should his charge use his temporary freedom to make a permanent escape, when he was privileged to take part in the most exciting affair the town hall had seen in a decade?

When the jury filed in after viewing the body, I scanned their faces closely. They were Maryland homesteaders all, sons of the soil, heavy-handed and slow thinking perhaps, but neither dull nor stupid. Righteous to the point of bigotry, intolerant of outlanders whom they would not try to like or understand, they would make short shrift of any of the Evans' household should suspicion point even slightly in their direction.

Murder was to them a blot on the jealously guarded honor of their fair state and must be avenged promptly and severely.

By reason of the great latitude allowed a Coroner and the unfettered procedure of his court, I knew this jury would prove as truly a trial jury as any other body of men who might later pass on the guilt or innocence of the alleged murderer, and I could feel already their lack of sympathy for any of the Evans' family. The dwellers at Bayside were too arrogant and too wealthy to gain any friendship among the country people. Furthermore, Tom had a tale to tell, which I feared would never be accepted by these six men who had their homes in this peaceful countryside. Had he still been able to claim it was Hirstein who had attacked him, it would have been one thing, but to endeavor to convince them that an ordinary tramp, such as they had all at one time or another driven away from their own homes, had turned and fired a gun—right there was the crux of the whole affair, and if I found it difficult to believe myself, I feared these jurymen would feel their intelligence insulted at being asked to put their faith in such a shaky story. Meanwhile, events marched inexorably on.

The first person to be called was the trooper who had found the body. "While cruising around in the new radio-equipped car recently issued to the State Police," he began with pardonable pride in the up-to-date methods of his troop, "we were directed by radio to proceed at once to Bayside, as the report had come in that Jim Hirstein had been sighted on the estate.

The time of the call was four-forty. Approximately twelve minutes later, we reached the lodge gates and there picked up one James Davis, colored. We then drove up to the house, arriving just at five o'clock. Almost as soon as we entered, Mr. Thomas Evans called us to come up to his study."

"Whom do you mean by us?" asked the Coroner.

"Sergeant Lyttle, Trooper Starr and myself. Starr was driving and we had the Sergeant along for a trial trip."

"Continue."

"Mr. Evans informed us that he had been walking down by the pheasant house when he saw a tramp he took to be Hirstein."

"Just a moment," the Coroner interrupted, "we will get all this from Mr. Evans himself. You, I take it, were sent out to look for this—er—tramp?"

The trooper agreed. "Starr and I walked down to the pheasant huts and saw nobody. So we walked around some more."

"Again cruising around on the tax-payers' money," put in the Coroner. "How far is it from the house to the pheasant yard?"

"Not more than an eighth of a mile, and the Sergeant told us to walk around to see if we—"

"All right." The Coroner frowned. Quite evidently he wished matters to be brought out in their proper dramatic sequence and was determined to discourage any premature revelations. "Go ahead. What happened then."

"We came upon the deceased." Brown brought this phrase forth with great unctiousness.

"Indeed, and how did you know it was the deceased?"

"Well, I knew he was dead," said the trooper, abandoning hastily his attempt at erudition. "I sent Starr up to the house to fetch the Sergeant and he came with Mr. Williams and Mr. Thomas Evans, who identified the body."

Brown was dismissed and the police surgeon called. The new witness was permitted to testify in peace, professional courtesy no doubt, that Cyrus Evans had been killed by a shot in the back which penetrated his heart and caused instant death. He had been dead between twenty minutes and an hour when the doctor examined him at five-thirty.

The Coroner girded up his loins, metaphorically speaking, for the real fray. Thomas Evans was called and questioned concerning the intruder. I was eager to hear his story. Now that he knew Jim Hirstein had been in jail all that day, would he attempt to slur over his definite identification of the trespasser?

Tom stood still, regarding the Coroner almost insolently for a full minute before he began to speak. "I left the house to inspect the pheasant runs—we rarely speak of them as houses, Brown, and never as yards," turning to the Coroner. "At any rate, I saw a hulking form and, realizing that Bayside would make an ideal place for a criminal to hide out, I went back to the house to arm myself before going any farther."

"Would you arm yourself to chase off a petty thief?" inquired the Coroner, running his eye over Tom's six feet of brawn and muscle.

"I might," replied the latter coolly. "However, since I asked Williams to call up the police, when I reached the house, you may take it that I considered the person I saw no ordinary tramp."

"Were you aware that the police had one of their new-fangled cars in operation?"

Tom hesitated for a fraction of a second. "No, I don't believe I gave it a thought one way or the other."

"So you expected it would be forty minutes instead of fifteen before the police assistance came?"

"Well, say thirty." Tom wasted an engaging smile on the bleak, hostile atmosphere.

"Go on," grunted the Coroner. "It takes me forty minutes to get to Belton."

"Oh, but the police don't have to observe speed regulations," Tom pointed out politely. "At any rate, James got me my gun and I departed at once."

"Alone?"

"Yes, alone. You see, I had the gun now. As I approached the pheasant runs, I saw a man jump up and dart away. He ran toward the estate boundary with me following; as he was about to go over the fence, he suddenly turned and fired a pistol. About fifty yards separated us at the time and, although I fired back, both his shot and mine were complete misses."

"Did you see the gun before he actually turned to fire on you?"

"No."

"You say he turned. Could you see his face?"

"Yes."

"Did you recognize him as any one you had seen before?"

"I did. As Jim Hirstein, my former client who recently escaped from jail in Baltimore."

"Well," said the Coroner acidly. "It is unusual to find a tramp carrying a gun and willing to fire at his pursuer when he is in no danger of being caught, don't you think?"

"Not if it were Hirstein," Tom pointed out. "He was a convicted killer who had escaped from prison while under sentence of death. He would fire to discourage pursuit, if for no other reason."

"It could not have been Hirstein, Mr. Evans. Every one in this room is aware of the fact, if he reads the papers at all, that Hirstein was in jail in Washington when you saw this person on your father's estate."

"Which doesn't affect the fact I thought it was Hirstein and took my gun to go after him."

"I see. But it doesn't explain why the tramp took his gun and, what is more astounding, used it."

"I rather imagine it does, if he had just killed my father down by the dock. He would shoot rather than be apprehended in that case."

"We have not proved he had been down by the dock, nor have we proved that he killed Mr. Evans," returned the Coroner ominously. "Now, how much time elapsed, do you think, while you were at the house getting your gun?"

"Oh, I don't know. James had to go upstairs for it. Maybe three or four minutes."

"And yet when you came out of the house you saw this mysterious stranger in the same spot where you had left him? Do you think that is natural conduct for a man who, according to your idea, has just committed a murder and in a few minutes is about to risk shooting you in order to make good his escape?"

"I did not say he was in the same place. I said he was hanging around the pheasant runs. I think he was waiting for a chance to get away in the cruiser."

"How far away was she anchored?"

"About a quarter of a mile. Say a third of a mile, that's more like it."

"Then you believe he shot Cyrus Evans within a few feet of the cruiser, walked six hundred yards, dawdled around until you got your gun and then fled, running in the opposite direction from which he knew the boat was lying, off to the other end of the estate, shooting at you as he was about to get clean away?"

Tom shrugged. "It sounds incomprehensible when you put it in words, I'll admit, but I am telling you what actually happened."

When the Coroner summed up Tom's story, it sounded worse than incomprehensible; it sounded so absurd I began to believe it must be true, if for no other reason than its palpable absurdity. But I perceived I was the only person in the room who saw the thing in such a favorable light. Perhaps if I had not had my own estimate of Tom's mental ability, regardless of what I thought of his probity, I might have felt differently. Every one was very silent, as if in disapproval and tacit rebuke of the witness' incredible tale. The Coroner gave Tom one more chance—he could afford to be magnanimous, since by his attitude he clearly denoted what an amazing tissue of lies he thought Tom was forging.

"Mr. Evans, since you presume the curious behavior of the trespasser was motivated by the fact that he had shot your father, can you advance any motive for which this mysterious stranger might have committed the crime?"

"Not knowing his identity, I cannot."

"Have you any suspicion as to his identity or his motive?"

"My father had made enemies."

"So do many men. Can you be more specific?"

Tom remained silent a moment. "I can tell you nothing definite."

The Coroner tried a new tack. "Did you hear the shot which killed your father?"

"No." This was a very decided negative.

"You are sure the tramp fired on you?"

"I am."

"And you fired back."

"I did."

"Making two shots in all?"

"Quite right."

As I listened to the interchange of question and reply, I knew what had become of the notes Lyttle had made so industriously. The Coroner must be familiar with every bit of the ground the troopers had covered in their preliminary work.

The next person to give evidence was James. As I expected, the Coroner drew from him exactly the information the butler had already given to Lyttle, and he was permitted to sit down without any heckling. My turn came next and I loathed the thought of the story I must tell. My first answers were merely in corroboration of James as to the meeting in the lower hall and the procuring of the gun. Then I was asked the question I had been dreading.

"Did you at any time during the afternoon hear any shots fired?"

"I did."

"Tell us about it, please."

"I had gone to my room, undressed and was about to get into my tub when a shot rang out. I glanced at my watch, which I had forgotten to remove, and noted it was exactly four-fifty."

"Did you hear a second shot?"

"No."

"Was this shot that you heard fired at four-fifty, the only one you heard? There was, say, no sound of firing as you stood in the front hall, or even as you drove up to the house?"

"I heard none."

"Could two shots fired close together cause you to believe that only one shot was fired?"

"If they were fired simultaneously by two persons standing very close together, I suppose so." I admitted this cautiously, for I could not believe such had been the case the other afternoon.

"Can you think of any other plausible reason why you should have heard one shot and not the other?"

"I can think of no plausible reason why I should have heard one shot and not the other," I retorted tartly, for although I did not want to let Tom in for any trouble that was not coming his way anyhow, I was fed up with this constant hammering on what I had heard. I could not explain it, but I knew I had heard one, and only one, shot fired, and I was beginning to wish some one would take my word for it.

The Coroner was not yet through with me. "You have heard Mr. Evans tell where he stood when he fired on the tramp. Did the shot you heard seem to come from that direction?"

"It did not."

"Where did you think it did come from?"

"Over by the boat-house."

"In other words, almost diametrically opposite the point where the other witness says he stood and fired on the tramp?"

"Yes."

"Then what your story amounts to is this—you heard the sound of a pistol being fired at about the time Mr. Evans admits he fired his, only the shot you heard came from the spot where the body was afterwards found."

There was no denying that this was a substantially true summary.

The Coroner was thoughtful. "Just what, Mr. Williams, was the reason for your presence at Bayside the afternoon of November tenth?"

"I came down on an invitation from Mr. Cyrus Evans to go duck-shooting the following day."

"Was Mr. Thomas Evans aware of the invitation?"

"That question I cannot answer. The invitation was delivered to me personally by Mr. Charles, and my natural presumption would be that the entire family knew who was invited for the shooting."

"I see." The Coroner drummed his fingers on the table before him and scowled slightly. It suddenly struck me that my choice of words was unfortunate.

"The duck-shooting," I amended, succeeding in making matters worse.

"Quite." The Coroner's tone was frigid. "Wasn't four-thirty in the afternoon an unusual time to arrive to go duck-shooting?"

"Yes," I replied. "But my car is laid up for repairs and the only later train would have put me in too late for a good night's rest—"

"I understand," the Coroner helped me out. "In other words, it was just by chance you arrived at that particular hour."

I nodded. I realized the question of my presence being accidental or expected was important but, although I had been doing some thinking on the subject myself, not for the life of me could I reach a satisfactory conclusion. Then one of the jurymen spoke.

"Will Mr. Williams tell us how he happened to call the police?"

For the moment I did not understand the question. "Why, since Bayside is without the city limits, it is within the jurisdiction of the State Police, so I simply called the nearest barracks."

The juryman explained, "Mr. Thomas Evans said he gave you directions to 'phone the station?"

"Oh, yes." But the Coroner had caught the drift of these questions.

"When you were at the telephone, you heard for the first time that the troopers with their radio-equipped car were near at hand?"

I agreed. The Coroner went on, "Then, instead of receiving police help at the end of half an hour, you actually had the police there about fifteen minutes after the call, or, shall we say, ten minutes after the shot was fired?"

I assented again. The jury professed itself satisfied. The aim of these questions was obvious; they tended to show that the murderer had not expected my presence at the house but, seeing me there, had set me to summon and wait for the police who, as far as he knew, could not be expected to arrive for another half-hour. That is to say, the whole court was sure that Tom had committed the murder.

But the Coroner was not going to stop here. "Did Mr. Evans expect you to go out with him in search of the tramp?"

Of course, I had to say he had discouraged any such action on my part, although I tried to be fair and admit I had not pressed my service on him.

"Mr. Williams, you are the lawyer for the Evans family, are you not?"

"I am a member of the firm which has handled the family business for many years."

"Can you tell the court of the provisions of Mr. Cyrus Evans' will?"

I quite definitely did not want to do this, so I evaded as neatly as I could. "My senior partner is in England now and, since it is he who has handled all matters pertaining to the will, I should not feel qualified to speak on the subject."

This concluded my testimony and I was glad to have the question of the will dropped for the moment. Edwin was called next. I knew that both he and Charles had been previously questioned by the troopers—indeed, both young men had been forced to admit that they owned forty-five caliber guns, and these guns had been carefully examined—but I had not heard directly what they had to say about the events of the tenth. As I listened to his testimony, I could not help feeling somewhat surprised at Edwin's affable behavior in court. He told his story easily, fluently and well, with almost no prompting from the Coroner.

He began by saying he regretted he was able to throw no light on his uncle's murder. He had left Bayside early in the morning to go up to town in his car. "I left Charles outside Mr. Williams' office," he was saying, "as he was to deliver Uncle Cyrus' invitation as you have already heard. Then I drove straight to my broker's and remained there at least two hours watching the progress of the market. Let me see, I took Mr. Courtney over to the Southern for lunch and Jones joined us there later. He is the other member of the firm. I've already told all this in detail to the police, and if I go wrong on any minor point they can correct me." The narrator paused apologetically and one could fairly see the Coroner beam at this docile witness. He remarked graciously, "You don't need to go into such detail, Mr. Evans."

"I only thought perhaps it would be best to clear up any doubt that might linger on the score of my activities and any possible connection they might have with Bayside. At any rate, I left the Southern at one-thirty exactly. I noticed the time because I was wondering if I would be able to get to the bank." He paused, a bit uncertain now. "Then I did some shopping," he concluded abruptly.

Now Charles and I were sitting together not far from where Edwin was and, as the narrator ceased, his brother leaned over and said to me in a perfectly audible whisper, "That's really no go—the confession lacks detail at this point. He shouldn't disappoint the jury when they are dying to know whether he bought socks, shirts, or a few really worthwhile books."

I knew Edwin heard some of this aside, as must several of the jurymen. At once he smiled engagingly and said in a confidential tone, "I really placed a few bets on the Tia Juana races."

"And he calls it shopping," Charles murmured sotto voce.

This short interlude didn't hurt Edwin in the least. No Marylander in court would condemn a man for placing a bet on a horse race, no matter how strict an interpretation of morals he had in other ways. But the whispering did focus attention on Charles.

"A bit past three o'clock I started home by the upper road through Belton. It is somewhat longer that way, but it was beginning to rain and I find the upper road safer in wet weather. Anyhow, I was in no hurry, and when I came to Belton I saw the movie, 'Sinners Indeed,' was at the Crystal Palace, so I went in."

Suddenly there was a diversion in the back of the room.

"What is the matter?" asked the Coroner, halting Edwin's recital.

No one replied at once, and then a man in the uniform of the State Police rose. "I have brought a girl to the inquest; I mean to say she is the girl who was at the ticket-window of the Crystal Palace, day before yesterday, and I asked her to see if she could identify the witness."

"Is she able to do so?"

"No. She is not sure whether she saw him or not."

"Naturally not," said the Coroner in a dry tone. "From what I have seen of the business done by the Belton theater, I'd be very much surprised if she could."

This was by way of being an aside, inspired by the rivalry of the two towns in regard to their theaters, but Edwin apparently did not understand it as such.

"I am an infrequent patron of the movies," he said with a slight smile, "but if there is any doubt of my presence there at the stated time, I will describe the performance."

No one answered what appeared to be a rhetorical question, anyhow, so Edwin retold the basic plot of the picture and referred to several specific scenes. I was amazed to note what a capital raconteur he made, when so minded, and how he held the good-fellowship of the court when he related the scene where the hero of the play blunders back stage and comes upon a chorus in rehearsal. The bit evidently depended for its humor on the embarrassment of the country youth when he finds himself surrounded with so much unadorned feminine pulchritude. When Edwin retold this incident, he did so with the air of deploring the pornographic humor of the piece; yet a few unsuppressed guffaws from the jury told how cleverly he had gotten his effect. After this, he concluded his recital by a simple statement of his arrival home at six o'clock, when he was told the news of his uncle's death.

The Coroner, before dismissing this witness who had wasted so much of the court's time by relating facts pertinent to his own day, but in no way related to the tragedy at Bayside, asked him various questions concerning any possible enemies Cyrus might have made. Courteously, quietly, Edwin denied knowing anything which would throw any light on the identity of his uncle's murderer.

CHAPTER SIX

THERE was a brief interval between Edwin's testimony and his brother's, devoted to the recall of Lyttle who was asked about the police inspection of the pistols found at Bayside. I could not decide why the Coroner chose to interpolate this in the record at precisely that spot, unless he wanted the jury to be very sure that the pistols owned by both the boys gave no indications of having been fired recently when the troopers examined them. There was no doubt left in my mind but that the Coroner found Edwin a witness after his own heart, so perhaps he wished to exonerate him before any too inquisitive juryman.

When Charles finally was allowed to give his testimony, he completely alienated the entire room. His manner was truculent and insolent in the extreme, as he announced, immediately upon being questioned, that he had been absent from Bayside the entire afternoon of the tenth, that he was totally unable to give a connected account of his actions and, furthermore, didn't see any reason why he should.

"I was not as forehanded as my brother," he explained ironically. "I didn't spend the whole day with my eyes glued to the clock, as every one else seems to have done. The only explanation I can offer for such negligence is that I really had no idea a murder was about to take place. All I can say is, I went up to Baltimore with my brother, as he has told you, saw Mr. Williams, spent the day on business of my own, and then returned to Bayside in a car with some friends. And that's just as good an alibi as any one else has offered. You might ask Mr. Williams if he heard the car drive up, since he seems to be official auditory register for the police."

The Coroner did not like this young man's manner, and for a moment he seemed to forget his predisposition toward Tom's probable guilt.

"You'll have to produce a witness to your whereabouts on the afternoon of the tenth," he announced flatly.

"I don't have to," Charles answered, "but I will." And forthwith he did—what a witness, a huge, gangling brute of a man, whose long skull, receding chin and deformed ears betrayed Lombroso's famous, if unsubstantiated, marks of a criminal, as well as lending much support to Darwin's equally publicised theory. Any business in which this gentleman was an associate would not be a very respectable form of industry, I found myself thinking with a despondent feeling in my heart.

"Name?" asked the Coroner, temporarily nonplussed by the appearance of this strange witness.

"John Smith," came the glib answer. "Now, lookit here, I'm willin' to tell you about me and my partner, Chollie, bein' wit' each other day before yesterday, but I want to get it straight first—this ain't a regular court and you can't ask me nothin' except about me and Chollie bein' together?"

"All this court is concerned with are the facts surrounding Mr. Cyrus Evans' death," replied the Coroner, stiffly.

"Dat's all right, den," declared John Smith cheerfully. "Me buddies says I was a fool to come here at all, but I allus says, stick up for a buddy when he needs you if it won't do you no harm—and there ain't nothin' I know about the old man croakin' or I wouldn't be here."

I was revolted by the testimony of this uncouth person. How a man like Charles could have degraded himself to have any connections with riff-raff of this sort was beyond my comprehension. Here was an acknowledged law-breaker sitting in the Coroner's court as a witness to prove that another man was engaged in an illegal activity at the time the murder was committed, and so to give that man an alibi. What times we have fallen on!

In spite of my personal feelings, however, John Smith, it must be admitted, told a very convincing story—which was fortunate for Charles for the temper of the Court, aggravated by the advent of this star witness, was such that they would gladly have hung a murder on him if it were feasible. Mr. Smith's testimony was very definite.

"Between four-t'irty and five—de whole of dat time, ya understand—me an' me partners, an' dat takes in Chollie here, was down at the beach unloading a cargo of Florida water,—"

"What beach?" interposed the Coroner.

"I should tell you what beach," exclaimed the astonished and pained bootlegger. "Hey, Doc, I've got my livin' to make. What beach, indeed."

"Enough," roared the indignant official. "Mr. Charles Evans, the Court questions the propriety of your having brought this witness here and censures you for having done so. We are not forced to listen to any more."

"May I remind you that I am only following out the suggestion of the State Police that I get some one who could testify to my whereabouts on the day of my uncle's death?" interposed Charles swiftly. "As to the personality of my witness, may I suggest that, like him, I have my living to make, and I feel that your remarks stop barely short of slander."

The Coroner fumed helplessly. He would have liked to administer a stinging rebuke to Charles, but he dared not let that young man bait him any further for, after all, the official had other fish to fry this day, and he had called both Edwin and Charles with the main idea of letting them eliminate themselves early in the case. Now, having the ground cleared, so to speak, he was ready for the fireworks. He recalled Tom.

"According to your own knowledge, Mr. Evans, did you stand to benefit by your father's death?"

I hoped Tom would evade this question, as I had evaded it for him, but he replied as promptly and nonchalantly as if he were utterly oblivious of the import of the Coroner's words.

"If you are referring to financial benefit derived from Mr. Evans' death, most assuredly I knew I was to inherit a large fortune under the will."

"You are informed of the contents of the will?"

"Naturally, Mr. Evans never made any secret of his intentions as to the distribution of his wealth. Both I and my cousins were fully informed; in fact, it was often a topic of conversation."

"Will you tell us what the general terms are for the distribution of the estate?"

"I stand to inherit the entire estate, both real and personal, including, of course, Bayside, except for the sum of two hundred thousand dollars, which is to be divided equally between my two cousins. I have the option of paying this sum outright on settling the estate, or of turning over securities to the full value thereof, since I am executor jointly with the law firm of Vaile and Williams. If I should die without heirs, the estate goes equally to my cousins, should they survive me, or to their heirs and assigns in the case of the death of either or both."

"Otherwise, the estate goes directly to your heirs?" asked the Coroner with interest. It was plain that he had not before heard of the will, although there must have been considerable speculation in the county over the division of the Evans' estate.

"Exactly," Tom nodded. "But, as you are doubtless aware, I was legally adopted by Mr. Evans, so my only possible heirs would be heirs of the body. I have no claiming family."

The Coroner nodded to show his understanding. "You say your cousins are aware of this will. Had they ever, to your knowledge, appeared dissatisfied with the idea that you, an adopted son, should inherit the bulk, while they, blood kin, were turned off with what must be a very inconsiderable portion of the whole amount?"

"A hundred thousand dollars, Mr. Coroner, should not appear inconsiderable to a man who was living on his uncle's charity."

"No, but it seems as if they lost more than they gained by Mr. Evans' death, provided there was ever any hope of his altering his will."

"Mr. Evans did not give any one the idea that he would at any time alter his will. In fact, I am sure the liberal bequest which he made to his nephews was more for the purpose of deterring them from tying up the estate, by spurious claims and litigations, than for awarding them. Mr. Evans did not feel that either nephew was exactly a credit to the family."

I was sorry to see Tom's animosity to his cousins driving him to these last remarks. The Coroner pounced on them at once.

"We are to judge, then, that Mr. Evans did consider you a credit to the family?"

Tom made no reply.

"In which case—if some news, very discrediting to you, should have come to your late father's ears, would you consider it likely he might have altered his will?"

Tom shrugged his shoulders. "I can see no reason for answering your question." But it was too late for discretion now—the witness had played right into the Coroner's hand.

The police had unearthed a surprise. They produced a dapper little soul, whose gaudy raiment more than made up for what he might lack in physical stature. I knew the gentry to which he belonged. I had seen them at race meets, in Capital restaurants, and slipping furtively through the lobbies of vast hotels. With caution peculiar to his kind, he reluctantly admitted that he held Tom's notes of hand for a sum exceeding fifty thousand dollars, and that lately, despairing of collecting the debt, he had threatened to take the notes to Cyrus and expose their maker. It did not surprise me to find out that Tom was a gambler on so large a scale. I had suspected it long ago, but if this man's tale were true it provided adequate motive, which, combined with the opportunity and not forgetting my testimony, pointed unmistakably toward the criminal.

At least, so it seemed to the jury. Edwin and Charles had been eliminated in the eyes of the court from any knowledge of, or participation in, the crime. That left Tom—and his tramp. Against Tom's own story was my word, which the jury found easier to believe than the wandering tale involving a mysterious stranger. Now that the motive had been provided, the conclusions to be drawn by the jurors, definitely hostile and suspicious from the start, were obvious; the verdict surprised no one. Tom was found guilty and the indictment was sought at once.

CHAPTER SEVEN

TOM was arrested on the Coroner's warrant, and indictment sought and procured with astounding celerity. As soon as I received the news, I bestirred myself, for this thing had gone too far for me to carry on alone. I composed a cablegram to my chief which set forth with the utmost clarity, consistent with economy, the main facts of the Bayside mystery as I saw them to date. Within a very few hours from the time I dispatched my cable, my telephone rang, and, to my great excitement, I found myself talking with my chief. Our conversation was perforce brief, but it cheered me not a little and ended with John Patrick's promise to be on the *Gargantua* when she left Plymouth that very night. So I was to be reinforced by his presence before many days had passed.

Then I set out to visit Tom, a course not greatly to my liking but strongly recommended by my chief. I found him in prison, but in a far better frame of mind and more cheerful spirits than I deemed possible. He told me he was intending to conduct his own defence, a statement which did not greatly surprise me, and, indeed, I rather approved of his idea, although I am not ignorant of the old saw concerning the lawyer who has himself for a client. In spite of that, I was convinced there was in all Maryland no better criminal lawyer than the one Tom had intrusted with his defence. Needless to say, he did not inform me along what lines he intended to plead, and this was only natural for, although I came to him in the guise of a family friend, as well as a lawyer who had handled the Evans' affairs, we could neither of us disguise from ourselves the outstanding position I held in the prosecution's case. I inquired if there was anything I could do for him, and Tom said yes, there was. He was most anxious to press the District Attorney for an immediate trial and desired me to go and see if my influence would not avail in hurrying up the prosecution. I was not at all loath to accede to this request for, if by any chance Tom were not guilty, he should be spared the unnecessary torture of a long period in jail. If he were guilty, then it certainly was best for all concerned to get the matter over with. So insistent was Tom on this point that I began to wonder if, realizing his case hopeless, his demand for prompt action was in the nature of a surrender to the inevitable. But I could never conceive of Tom in surrender.

When I arrived at the Prosecutor's office to plead that the case go to immediate trial, I found I might well spare my oratory, for no sooner did I broach the subject than I found the D. A. of the same mind as Tom.

"Sure," he said, "we can bring this case before the judge any day now; I was holding off to give Evans a fair chance to prepare his defence." He leaned over, unlocked a drawer and took out Tom's pistol. "Here is my case, right here. I've got the gun, I've got the bullet from Cyrus Evans' body, and I'm going to get my man.

He admits he fired the gun—all I have to do is to prove what he hit."

"You have the bullet from Cyrus' body?" I asked in morbid fascination.

"Sure, and it was fired from a forty-five caliber pistol. I might pay out a few hundred dollars of the taxpayers' money for some expert testimony, but why should I? You were everything but an eye-witness to the murder."

"Maybe the defence will call expert ear specialists to test my hearing," I demurred.

"Say, there is nothing wrong with it, is there?" The District Attorney was thoroughly alarmed. "When did you have your last life insurance examination?"

"About a month ago." I had to laugh at my friend's sigh of relief. "No, my hearing is all right. I just wanted to see if you'd checked up on all the minor points."

"Bob, my lad, I don't hold this job by chucking the State's fund to the winds. When I've got an open-and-shut case like this one, I don't waste any money on fancy experts; I only do that when I'm worried. Now I'll go and tell Evans he can hold himself ready to be called in forty-eight hours." Then his tone changed. "God, I want to get this over with. It's no pleasant job trying a man of Evans' standing for a thing like murder. He's a smart lawyer and a brilliant man, but he slipped up badly this time. It only shows you how the best of them lose their heads at times. Maybe it proves the old proverb about touching pitch—I don't know. If he'd used the sense about committing a crime he has used in the past getting some of his clients free, it would be a different matter. I might need six months to prepare my case;

but I've got evidence now that doesn't depend on eyewitnesses, and no matter how clever a fellow Tom may be, he can't break down the testimony of circumstances. Don't you ever go to committing a crime, Williams, just because you're a lawyer and think you can get away with it. Lawyers are the biggest fools in the world where their profession touches themselves—except maybe a doctor who gets sick."

I left the office of the Prosecuting Attorney in a thoughtful frame of mind. The very ease with which the State regarded its case as already won convinced me, had I had any doubts before—and I may as well say right here that I don't believe I ever had any real doubt of Tom's guilt, from the moment I heard Trooper Starr's raincoat brushing against the stair-rail until the extraordinary denouement of the trial. I wanted to disbelieve it, but I couldn't.

Yet, when the trial did open, I attempted to put all preconceived ideas out of my mind and give my evidence as a dispassioned observer of what, to say the least, was a curious affair. Each day in the courtroom I pursued my policy of taking voluminous notes to give to my chief on arrival, and each evening I conscientiously scanned the shipping news lest some delay had held up the *Gargantua*. Finally, on the afternoon of the day when she was due in New York, a little colored boy came to my seat in the courtroom and pressed a note in my hand. As soon as I opened it, I saw in John Patrick's flowing script: "I shall be waiting at the Oak Tree Inn. Come over after the day's adjournment."

I was overjoyed, for I had scarcely expected to hear of his arrival before the next morning. As soon as I was free, I hastened to my rendezvous, glad to be able at least to discuss this sad business with one whose intelligence and calm serenity I so admired. He met me downstairs in the Inn and escorted me into a small parlor where the fire had been laid. A smallish man, fresh complexion, a fine head of white hair, white mustache and neat goatee, he was the living prototype of the traditional Southern Colonel, provided we overlook the latter's supposed penchant for pictorial raiment. John Patrick was immaculately tailored in Paris, while his accessories—shirts, socks and the like—all bore the unmistakable print of Saville Row. In manner, he was quiet, low-voiced, yet dominating by sheer force of his personality. One felt the power of this man's mentality in the most casual contact with him, yet few persons ever understood him. Reticent to a fault himself, he was the repository of secrets from people who confided in him although they scarcely knew him.

He owed his name to John Calhoun and Patrick Henry, from both of whom he derived descent. Born in a family whose men had made early history of Virginia, and whose women had been reigning belles of the South, he had grown up in the tragic era following the Civil War. His dynamic personality had prevented him from succumbing to the enervating forces overshadowing his childhood; by hard work and perseverance he had gotten himself a legal education, and by the brilliance of his mind and ability in his chosen profession he had raised himself to fame and affluence. At an age now when most men think longingly of retirement, he was none the less avid for work. He was no friend of leisure, for he got his recreation from the pleasure he derived from his work. Never an acquisitive sort of person, he despised those who made collections their hobby, Cyrus Evans' armory, for instance, had always been a source of amusement to him. He knew five times as much about each weapon in the museum as did its owner, yet he would have scorned to buy and keep any of them.

"I am a collector of human nature," he used to say, "and you can't keep my specimens under glass."

As soon as we were seated, I began to talk. "I did not expect you until tomorrow at the earliest. The *Gargantua* did not dock until noon, did she?"

John Patrick shrugged his shoulders. "I got off at Quarantine and took a seaplane down; now, that I see you, I think I was right to make all haste possible. You look very worn, as if the trial had subjected you to a prolonged strain."

"I am tired," I admitted, "and not a little glad to see you back. The responsibility has been very heavy in these past two weeks."

"Ever since I arrived I have been reading the notes you sent to meet the boat, and I fancy I am sufficiently well up on everything happening before the trial. Suppose you tell me what has happened in court, and then we can put our heads together for some purpose, I think."

"Nothing has happened in court," I said wearily. "The prosecution has stated its case and called its witnesses and Tom has begun his defence, but still nothing has happened. It is the inquest all over again."

John Patrick lifted his eyebrows quizzically. "So. No wonder you are distressed. Your position as chief witness for the State is resting heavily on your conscience lest your testimony is being used to convict an innocent man. In the face of your evidence, you can't believe Tom is innocent, yet you can't conceive how as clever a man as he undoubtedly is would depend on an alibi as tenuous as his, if he had really planned to murder his father."

"You have stated the facts as accurately as if you could read my mind," and I smiled for the first time in three days. "You get the same feeling I do from simply reading my account of the inquest?"

"Never mind what feelings I get until you give me a summary of what has gone on. I'll try to refrain from comment until I have it all."

"I'll begin with the State's case. They have advanced as the motive, not only the desire for money to pay the huge indebtedness, but also they claim it was imperative for Tom to conceal the whole affair from Cyrus. It seems that Tom had already been in trouble on account of some previous gambling debts, which Cyrus had settled on the understanding that Tom was never to gamble again. They have produced witnesses who claim to have the knowledge that Tom stood to be disinherited if he disobeyed the old man in this respect."

I looked at my chief, but he would not respond, so I continued: "The means he used, of course, was the gun now in the State's possession. He expected to throw the police off the scent by his strategy of sending for them before the murder was done, but he was forestalled, not only by the unlooked-for speed which the police made in answering the call, but also by the fact that Hirstein was already in jail when he claimed to have seen him on the estate. Then, the further fact that I heard one shot, and only one, and identified it as coming from down by the dock, when Tom was trying to convince the troopers it came from the opposite direction, quite finally upsets the defence. By the way, did you know that the troopers tested my hearing by means of shots they fired from the two spots under question? They did it so well that I never suspected it was a test at the time."

John Patrick looked up with what in a person of lesser dignity would have been a grin, but he didn't say a word. I recalled that I had faithfully recorded the conversation Lyttle had with me in my room on the day following the murder, and had mentioned the shots which interrupted us.

"There is only one more point and that lay in the doctor's testimony. Cyrus Evans was killed not more than an hour before the doctor saw the body. That means he was killed after I arrived at Bayside." My voice hesitated. "I touched the body and it was just barely cold when we found him."

John Patrick nodded in sympathy with the horror I strove unsuccessfully to keep out of my words. He answered in a very matter-of-fact tone, "Dead certainly not more than twenty minutes or half an hour. Yes, Bob, we've known from the first that the murder was committed during the time you were in the house." Then, mindful of his promise not to interrupt, he said politely, "But I said I wouldn't comment until you were all through. Is that all?"

It was—the State's case was as simple as all that, and as correspondingly hard to defeat.

"All right, we'll go over it point by point. As for the motive, I agree with the prosecution. Money alone would never have been sufficient to urge Tom to do murder, for he knew, if he sat tight and behaved himself, it would all come to him some day. However, I know all about the old quarrel he and Cyrus had on the subject of gambling. It happened before Charles and Edwin went to live with their uncle, and Tom was there all alone. You know how Cyrus had to keep his finger on everything going on—well, Tom got into debt, for at that time his law practice was just lucrative enough to give him a taste for more money. At least, that was the way Cyrus read it, but I've always suspected it was an innate love of gambling which first led Tom to the tables. Be that as it may, the old man might have understood and applauded a successful coup, while a loser was something he couldn't stomach. So Tom was in very real danger of being thrown out of house and home, if this latest indiscretion of his came to light."

"It would have, I think," I asserted gloomily. "It was just a question of time before his I. O. U.'s would be brought to Cyrus' attention."

"Exactly. And you mustn't forget how much more it would mean to Tom than just the money end of it. He could not afford to forget that he was only an adopted son, without family or background, and yet position and security meant more to him than they do either to you or me who have never been in danger of losing them. You know our people—blood counts and, failing a good birthright, you must have an established position. Tom stood to lose everything worth while in his life, if Cyrus threw him out."

John Patrick paused to light his pipe and smoked thoughtfully a moment. "But when it comes to the element of surprise in the sudden appearance of the troopers, while I am forced to admit it is a nice point for the State to make, and ought to go far to justify the increased expenditures for the new cars in the eyes of some of the penny-pinching taxpayers, I can't quite credit it with having much importance. True, Tom didn't have time to clean his gun before the police arrived and was, therefore, forced to account some way for its having been fired, but he had shown absolutely no reticence in letting you see it before he went out. Both you and James knew he had it, and heaven knows, it was easy enough to identify. And that brings me to the point I can't understand and the prosecution hasn't explained. Am I wrong in thinking it quite possible that Tom knew all along you might very well come down on that early train?"

I had been doing some thinking on this subject myself. "He greeted me as if he were surprised to see me," I said, "but later on in the evening he happened to mention that he had called up his office. Now, Miss Ellesworth knew I was coming down on the three o'clock, and I think it most unlikely that she would fail to mention it."

"Curiouser and curiouser. Even after he sees you, shows you his gun and permits you to be in a position to recognize the weapon, he still persists in his plan of murder, providing himself with an ear-witness and one who has proved to be most detrimental to his interests. Let's hear his side of the case now."

"It is the same as he advanced at the inquest. He did make one attempt to discredit my story by asking me to describe his appearance as he stood in the lower hall. When I said he had on a pair of white duck trousers and a polo shirt and was fairly well soaked by the wet, the D. A., on re-examination, asked me if Tom could have concealed another gun on his person. Of course, he could not, not possibly."

"I see," my chief said. "Tom's sole attempt to confuse the issue. If he could prove that any other gun was fired, it would necessitate two shots and throw out your testimony."

"Impossible," I scoffed. "The police did some very neat ground-work there. There is one weapon in this case and one only, the pistol Tom Evans had in his hand when he went out."

"Next, how is Tom going to get around the fact that Hirstein was in jail when he identified him so positively as being on the estate?"

"I can't see how he can at all. There's where his whole case falls down. No man on the jury but has chased a tramp off his property at some time or other, and they simply will not believe in the presence of an armed vagrant at the moment when Cyrus Evans was killed."

"It is pretty thin," my chief agreed. "Of course, if the tramp really killed Cyrus, he was armed, obviously, with a forty-five; which, by the way, as I suppose the prosecution has not failed to bring out, is an unusual weapon for a hobo to be carrying about. But even if Tom's story were probable, if you grant it for the sake of argument, it still doesn't make it any less remarkable to find an armed tramp roaming around Bayside, first here, then there. Besides, Cyrus' murder then becomes perfectly pointless, supposing it to be done by a marauder who immediately disappears without collecting anything on his apparently purposeless killing."

"You do believe Tom guilty then?" I queried.

John Patrick shook his head slowly. "I can't say as quickly as all that."

My face fell and, noticing it, my chief went on kindly, "But, Bob, I believe you heard the shot which killed Cyrus, and I think you are perfectly justified in telling your story. Indeed, there is no other course open to you, and you must not feel it can be used to convict an innocent man. The prosecution has an iron-clad case. They have a motive unquestionably adequate for a man of Tom's personality and determination; he had the opportunity, and the testimony of your hearing, proved by the police to be clear and true, remember, indicates he used his opportunity. The only explanation Tom can advance for the undeniable fact that his gun was fired is so thin that no one will believe it. The very ridiculousness of his story makes you and me doubt not only that it actually happened but, knowing Tom as we do, we marvel that he could hope to make a jury believe it really occurred. The next step is to think Tom innocent—otherwise, he would have worked up a better story. We must not do that, Bob; perhaps the police are right and he intended to have a credible tale ready, only they arrived too soon for him. On the other hand, maybe his error lies in being too subtle—perhaps he hopes to raise a doubt in the mind of some juryman on the ground that his tale is too weak to be other than the truth."

"Then—the alibis of the other two boys," I ventured. "I don't think they were any too conclusive."

"No," John Patrick answered thoughtfully. "At the same time, there is nothing to connect them with the crime. You see, Tom was there, his gun was fired, and if some one else committed the murder, then perforce you accept Tom's account of his own actions. Right now, you can't do it. Well, the trial isn't over yet."

"Very nearly," I replied moodily. "Edwin told me today that there was just one more witness: a surprise one, and he has made all the arrangements with great secrecy. Tom is calling Jonathan Lewisholm."

My chief sat up with a start of surprise. "The great Lewisholm, the ballistician? What an extraordinary move! Now, if he were the State's witness—" he broke off and took a deep puff on his pipe. "Well, that will be a grand finish for the case. Whatever Lewisholm says, I for one shall believe, if for no better reason than because he says it."

CHAPTER EIGHT

WHEN John Patrick and I took our seats in the courtroom next day, we were both in a puzzled frame of mind, wondering what this last witness of Tom's would contribute to the case. My chief, after expressing himself anent Jonathan Lewisholm's probity and general reputation, would discuss the case no further, but I was secretly sure he was not a little mystified by this latest development. Vaile's arrival in the courtroom, by the way, caused more of a stir than had been manifested since the early days of the trial. Old friends of the bar, social acquaintances, and even the newspaper men came up to welcome him home. When the judge entered and took his seat, he caught sight of him and nodded genially.

The court was opened and the surprise witness took the stand. I craned forward in common with the rest of the room to gaze upon the great doctor, for, though Jonathan Lewisholm's name stood for fame and authority wherever people or nations gathered to discuss powder and explosives, I had never caught before a glimpse of the renowned ballistician. As Vaile had phrased it last night, whenever the learned doctor made a statement, that statement was accepted as fact by virtue of his having said it. So far as I knew, this was the first time Lewisholm had ever come forward at a criminal trial; rumor had it he was a reticent soul, wrapped up in his laboratory and quite impervious to events around him.

In appearance he was more Continental than American. A slight figure, grayish rumpled hair, sallow skin, and a prominent Adam's apple, made him a caricature of the traditional professor; but there was an air of dignity, of authority, about him which protected him from ribald mockery. He wore a wing collar with a small black tie sitting askew beneath it, dark trousers and a tailed morning coat. I did not see his hat, but I should have been not at all surprised to find it a tall silk topper.

Tom rose to qualify his witness. His manner was astonishing in its self-possession, considering the gravity of the situation. He swiftly and deftly alluded to the witness' reputation, thus setting at rest the wonderment of those who did not know the little doctor, and adding to the bewilderment of the knowing ones in the courtroom, who were completely nonplussed by the sudden appearance of the ballistician. I glanced at the cohorts for the prosecution; the delegation from the D. A.'s office was obviously surprised and absolutely in the dark as to the purport of this new development.

"Now," said Tom after he had established Jonathan Lewisholm as an expert, "I shall ask some questions about the identification of bullets fired from a particular gun. Suppose you have before you one bullet fired from a forty-five caliber pistol. You have also in your possession a pistol, forty-five caliber. Can you state definitely whether or not that particular gun fired that particular bullet?"

"Certainly," replied the witness, "beyond all question of doubt."

"Doctor Lewisholm, will you please explain the process of identification to the court."

The prosecuting attorney leaped to his feet. "I object on the grounds of irrelevancy."

The judge looked at Tom. "Is this testimony relevant to the case?"

"It most surely is, Your Honor. I seek to prove certain specific facts about a certain specific gun. I wish to get the complete testimony of this witness before the court in a manner that is intelligible to the veriest layman utterly unfamiliar with fire-arms." There was a ring of Tom's old dramatic manner in these words.

"Objection overruled," droned the judge and, with a slight smile, the witness continued. Listening to Lewisholm's words, I was struck by the simplicity of his testimony and his easy diction, obviously the result of Tom's careful coaching, since he wished to put the ballistician's words across to the public with none of the technicalities that so confuse the everage expert's testimony. With this witness Tom had unquestionably struck his stride, but whither was he going?

The savant adjusted his pince-nez. "The identification of fire-arms," he began, "falls into several well-defined methods. Having the cartridge-case, it is possible to tell the type and make of fire-arms from which it was discharged; having the bullet, it is possible to obtain the same information; and, as in this case, having either the discharged cartridge-case or the bullet, it is possible to determine, not only the make and type, but the particular individual weapon in which the cartridge was fired, provided that weapon is available. Conversely, it is also possible, by using the same methods, to determine that any particular weapon did not fire any particular cartridge-case or bullet, if such be the truth."

He paused and gulped convulsively, as if he had just become aware of his audience. Then he continued: "The science of interior ballistics began its so-called modern development about the middle of the last century. Before that time, we had smooth-bore weapons, which fired a round, ball-shaped bullet which had no rotation or spin to it. In order to get greater accuracy at long range than was possible with the ball-shaped bullet, the projectile was elongated with a point at one end and a flat surface at the other. Then, by giving the bullet a spinning motion when it passed through the gun, a gyroscopic effect was produced, which caused the projectile to maintain a relatively stable flight as it passed through the air, point foremost.

"Next, how was this spinning motion imparted to the bullet? It was done by means of small, raised spirals in the barrel, which are called lands. The spaces between the lands are called grooves. In all rifled guns the diameter of the projectile is slightly greater than the diametrical distance between the lands; therefore, when the gun is fired and the bullet is forced through the barrel, the lands cut into the soft surface of the bullet in a manner rather similar to the way that an ice skate cuts into the ice. Now, in spite of the fact that the rifling is done by some of the finest modern machinery, there will be many slight variations; and, as the bullet rushes through an automatic pistol at the speed of about ten miles per minute, these variations will be engraved in the soft surface of the bullet by the irregularities in the barrel."

As the doctor's voice ceased, Tom said quickly, "Will you please indicate to the court something of the manner in which the identification of the markings is done, in order that the jury may follow the tests which I am going to ask you to make in their presence?"

Lewisholm complied at once. "The characteristic markings on a bullet may be divided into two classes; class characteristics, which were determined by the maker and which can be controlled by man, such as the number of lands, their depth, the width of the grooves, etc.; and accidental characteristics, which are determined after manufacture and which have a random distribution beyond the control of man. It is by use of this second class of characteristics that we are able to state positively that a certain bullet was fired from a certain weapon. Accidental characteristics may be caused by wear, abuse, erosion, corrosion, mutilation, neglect, rust pits, or dimensional variations in class characteristics within or outside of the tolerance allowed during manufacture. Any of the foregoing causes will result in certain definite markings on a bullet fired from a gun, and any other bullet, fired at approximately the same time from that gun, will have the same identical set of markings; in other words, the weapon engraves its signature on every bullet it fires. The arrangement of these accidental characteristics is subject to such infinite variety as to preclude by all laws of probability any chance the coexistence of a weapon capable of producing similar markings.

"Another point, the different markings, scratches, lines, whatever you wish to call them, become more pronounced and individual as the gun grows older with usage. Neglect is another factor, likewise improper cleaning or exposure to moisture. Thus it is easiest to identify a bullet which has been fired from an old gun; but no matter the age or condition, it is still possible to identify which gun, out of several, fired a given bullet."

The doctor looked inquiringly at Tom, and the latter asked: "Will you demonstrate this point with the bullet known as 'Exhibit A'?"

Now "Exhibit A" was the bullet which had been recovered from Cyrus Evans' body. Some legal wrangling went on as to the propriety of this procedure as the doctor unhurriedly set up his double-barreled microscope. The judge's ruling was favorable to Tom's requests, and soon the exhibit lay under the microscope with the D. A.'s cohorts looking on as if they feared a substitution were to be made. Tom, sensing this, kept well away from the controversial piece of lead, strolling around with his hands in his pockets. I knew the savant's reputation too well to credit his being party to any unscrupulous act, and I began to feel that Tom was staking everything on a brilliant coup. Yet ruling out legerdemain, the proceedings still savored of necromancy.

"This bullet," said the doctor, "was fired from a forty-five caliber Colt automatic, usually known as the Army automatic; the engraving of the lands is shallow and indistinct, thus indicating that the bullet was fired through a badly-worn barrel. There are additional markings, which in all probability were caused by pitting or rust spots, showing that the weapon which fired this bullet was subject to neglect as well as to abuse."

It suddenly struck me that Tom's guns were never neglected. I recalled in a flash his methodical and frequent cleanings and all the care he gave them. But Tom was on his feet now, making a speech that held the courtroom in the grip of silent astonishment.

"Gentlemen of the jury, I wish to point out that the prosecution has proved that the gun before you, known as 'Exhibit B,' was in my possession on the afternoon of November tenth—the afternoon when my father, Cyrus Evans, met his death mysteriously in the fog and darkness. I admit I held in my hands the gun before you; I have never denied it. The prosecution has told you I fired the gun once, just once, and then brought it indoors with me, in order that I might clean it. Mr. Williams has told you that he was not surprised at my action in immediately cleaning my gun; I always exercise just such care with every weapon I ever use. The District Attorney's office even went so far as to permit Mr. Williams to bring out the fact that the gun before you was the only gun I could possibly have had in my possession. I'll pass by this point for the moment, only pausing long enough to say that, if I had succeeded in eluding the wary vigilance of the State's own witness and had concealed somewhere another weapon, I could not very well have fired it, since the State has established most expertly that one shot, and only one, was heard. Now, mark well, gentlemen of the jury, up to this point in the evidence, I do not dispute the case—I had the weapon with me on the fatal afternoon and I had no other; I fired it once and only once.

"But the District Attorney's office has put before you the bullet extracted from Cyrus Evans' body, the bullet which actually killed him, and which now lies here on this table before you marked 'Exhibit A.' And the State asks you to believe that this bullet came from my gun. There, I cannot agree. My witness has told you that 'Exhibit A' was fired from a weapon badly worn, probably rusted, certainly neglected—and they ask you to believe it was my gun, even though their own witness has told you that he has knowledge I never neglected my pistol. Upon this point hangs my life, as I am well aware. Therefore, gentlemen, I think you will agree with me when I say that it is my firm opinion we should request an immediate testing of the gun, the simple test already described to you by the learned Doctor Lewisholm, which will determine finally and irrevocably whether or not my gun fired the bullet which killed my father. In other words, I propose that my gun be fired here and now, and the markings on the bullet be compared with the markings on 'Exhibit A.' "

There was a tremendous sensation in the courtroom at this sheer melodrama—the request to adjourn the court, while the judge and jury, the prosecution and the defence, should attend the test. So it came about to the stunned surprise of every one that the scene of the trial was shifted to the basement of the building, where an impromptu shooting gallery with bales of waste to receive the six experimental bullets was being made ready. These bullets would then be photographed through the microscope, the resulting picture to be enlarged and thrown on the screen in the courtroom.

These preparations took time—about four hours, as nearly as I can remember. The State meanwhile summoned a considerable force of their own ballisticians, hastily mustered into service, none of them men of Lewisholm's standing. I think by this time that even the

D. A.'s office believed the test to be *bona fide* and were willing to take the results that Tom's expert obtained, but they felt it looked a little better to protect themselves with their own men. As an impartial observer and referee, my chief, John Patrick Vaile, was functioning, which delighted me since it gave me entree into the whole performance. All other spectators were excluded, even the newspaper men, these last at the special request of Lewisholm, who apparently feared he might shoot one of them. They fumed outside, unable to decide how much or how little to wire their papers until the final results were known.

Long as the wait must have seemed to the lads of the Fourth Estate, it was not long enough for me to fathom the meaning of this new maneuver of Tom's. Tom must be very sure of what the results of the test would be, for he had admitted it would be an irrevocable answer to the questions propounded before the court—yet, the D. A.'s force had been so positive that they had not even bothered to test-fire the pistol when it was in their possession.

At last all was ready and the Doctor showed the pictures on the screen. Even an untrained eye could read the story. Photographs of six identical bullets, the shots fired downstairs, and one, the one removed from Cyrus' body, as different from the others as day and night. "Exhibit A" did not resemble the others in the least.

A surprise? The word doesn't half convey the feeling I had. I was stunned. I could not believe it. Nor could I rejoice at Tom's freedom, I was so astonished. Oh, he was acquitted all right. The prosecution, in attempting to provide proof against the accused, had made a chain of evidence permitting them now, in their turn, no escape. There was no possible about face for them from the moment they had entered, as evidence, the fact that Tom could not possibly have concealed another gun on his person when he was clad in white duck trousers and a polo shirt. Indeed, the D. A.'s office did not want to admit the existence of any other gun, perhaps hidden in the wood-pile. They stressed the identification of the gun, the fact it had been fired but a short while before, and only one shot heard. Another gun predicated another shot, or a corpse lying in the wet far longer than the autopsy revealed. The prosecution would have been willing to withdraw from the case immediately after Lewisholm's test, but Tom was not willing to accept a *nolle prosequi,* and the judge sided with him. Tom had scaled the whole edifice so painstakingly erected by the prosecution, scaled it in one leap. The only verdict was an acquittal and it was duly given.

As we drove home, John Patrick delivered a homily on the folly of trusting entirely to circumstantial evidence.

"The District Attorney," he concluded, "made a serious mistake in overlooking the necessity for test-firing the gun."

"He didn't overlook it," I protested, "he thought he had the case so sewed up as to render such proceeding wholly useless and a waste of money. After all, he had my testimony and that wasn't circumstantial evidence."

"It certainly seems to have been," my chief returned.

"Don't you believe me?" I asked, astounded.

"Of course; but remember I wasn't as certain of Tom's guilt as the rest of you were."

"I wonder who did kill Cyrus?" I speculated. "It seems incredible to think that Tom's story of the tramp turned out to be true, after all."

"The police will have to concentrate on finding him now: however, I think that you and I will have to take a hand in the affair."

"Oh, I don't think so. Our best course is to settle up the estate and keep out of the other business."

John Patrick sighed. "The mystery will not be solved easily, and I fear we shall be drawn into it regardless of our wishes. My idea is to take up our residence at Bayside—Cyrus transacted all his business from there, so it is the logical place for us to stay while we wind up his affairs. Then we shall be right on the ground and able to do a little investigating on our own."

I kept silent. After a minute, my chief continued lightly, "Has it occurred to you that you are an awfully logical suspect yourself? You might be planning to get control of the Evans' fortune and abscond with it. On that theory, we could discard your testimony with great ease."

"I disagree," I countered, much amused. "I'm not clever enough with money for any such course of action. Now you would be much more likely to think up such a scheme."

John Patrick gave me a mock bow. "You do me too much honor. Fortunately, my English friends can give me an alibi."

On this light note our interview ended, but my mind was to return to it several times in the very near future and I was to wonder with a sinking heart, how many people had already followed John Patrick's line of reasoning. For even as my chief tried to warn me, I was the next to be suspected of the murder at Bayside.

CHAPTER NINE

SHORTLY after Tom's return home, John Patrick and I went down to Bayside with the avowed purpose of settling up the estate. So far as our host was concerned, we ignored the events of the past ten days as much as possible and occupied ourselves with business affairs, which we hoped to get straightened out by the first of the year, although so diverse were the holdings and so involved the interests of the late millionaire, that to complete our task in the time set would mean working at top speed. Yet we were determined to labor conscientiously and well, but never lose sight of our own secret object—to find some clue by which we would be led to the final solution of the mystery. If it hadn't been for this determination of ours, I, for one, could never have stuck it out during all the weeks I did, living down there on the Evans estate, surrounded by bickering, quarreling and, finally, open fear and tragedy.

To begin with, Edwin and Charles elected to stay on until the estate should be settled and they should get their money. Unwelcome as their presence was to Tom, he seemed unwilling to rid himself of them, probably realizing that to do so would be to stir up a hornet's nest; after one inquiry as to how long we would be in the completion of our work, he seemed content to let things remain *in statu quo* for the time being. He had undoubtedly been under a terrific strain at the time of the trial, and now he was beginning to show the effects of it. He kept out of the way of all of us, preferring solitude to our society so plainly that it was only at dinner-time we saw him at all. Inasmuch as John Patrick and I spent most of our time in the suite allotted for our use, it was these dinners each evening which united the inmates of Bayside. United, did I say? The word expresses my meaning very poorly. Fancy the five of us, one man just acquitted of patricide under circumstances so startling as to leave the rest of us unable to grasp the sudden turn in affairs; the two brothers disliking Tom and never losing an opportunity to bait him, yet reluctant to take themselves away; my chief and I, convinced there was a murderer loose at Bayside and ever watchful to trap him in some betrayal.

It was at one of these dinners when a conversation freighted with warning began. We were nearly through a singularly quiet repast, when Charles looked up suddenly.

"I say, the police fellow, Lyttle, was around again. He is in charge of the case officially and seems to want our permission to do a little high-class shooting."

"I am glad Sergeant Lyttle is in charge," I interrupted. "He is an awfully nice chap and unusually thoughtful for one of his profession."

"Quite the gentleman, in fact," laughed Edwin. "Well, what is on his mind now?"

Charles bowed in Tom's direction. "He is coming to ask the Grand Seigneur for permission to snoop among the ancestral weapons. Our enemies, having slipped up once, are about to test-fire every gun on the place. Then, I suppose, the owner of the gun whose rifling corresponds to the marks on the fatal bullet will be promptly incarcerated. Simple, isn't it?"

Tom frowned. "It's an extraordinary idea. Why should the police expect to find the weapon in this house? I should think they would concentrate on picking up the tramp."

"Oh, the good old principle, of locking the stable," Edwin put in, his eyes never leaving Tom's face. "After all, while I'm not fool enough to believe the old saw of the criminal returning to the scene of his crime, I rather fancy that the police will never get on the trail of the mysterious stranger unless they can pick it up right here. My advice to you, Tom, is to stop talking about your little shooting party altogether, unless you change your mind and decide to divulge the identity of your duelling opponent."

A pregnant silence reigned. Strangely enough, this was a new idea for me. Edwin believed that Tom actually knew the identity of the tramp and was concealing his knowledge. I shivered with fear and excitement. There were very few persons for whom Tom would have risked trial, rather than betray, even though he was confident of the outcome. There was only one motive strong enough to actuate him, the motive John Patrick had mentioned.

Edwin, evidently pleased with the effect of his remarks, continued after a moment, "The police are evidently toying with the idea of a hired killer. They must figure that he has come to return the gun he borrowed. How about it, Charles, any of your pals do murder as a side-line?"

"If they did," growled his brother, "you wouldn't be any too safe right now. Lay off me and my affairs. I don't continually remind you of your brilliant career in banking circles."

The air grew tense and angry. The plates were changed for the dessert course, and then Tom remarked in the curiously quiet and subdued manner habitual with him since his return home, "We should all endeavor to give the police as much help as possible, and I don't know but that Edwin is right in suggesting we discuss the affair among ourselves as little as possible."

Charles spoke up at once. "That's fine for you to say, but do you realize how the rest of us must feel until the actual killer is apprehended? Hasn't it occurred to you that there is going to be more trouble right here at Bayside?"

"Meaning what?" asked Tom quietly.

"Meaning that the hired killer idea is Edwin's, and unless he's told it to the police, they don't know it yet. They must have some bright ideas of their own, though, and you ought to know they are going to stir up more trouble."

"Oh, rot!" Tom broke in in disgust. "Charles, you know you are just talking to hear the noise."

"All right," the other rejoined, "if you'd rather have my conversation plainer, I can accommodate you. How's this?—there is one thing in the whole tangle not making any sense right now. Eliminate it, and you get a perfect candidate for suspicion. And I don't see why we have to harbor that person in our midst—and refrain from talking about it, as you so charmingly suggest."

I missed the last few phrases of Charles' conversation.

It seemed silly enough to me, what I had heard, nor did I exactly understand him, but the words about one piece of evidence not making sense stuck in my mind. There was one such piece, but just then I could not think what it was. Some little thing had struck me on the afternoon of the murder and still worried me. It was like the story of Alice in Wonderland, when she followed the White Rabbit to the door through which he disappeared—when I held the key I could not get through the door, and when the door was accessible I could not reach the key. I shook my head impatiently. I must ask John Patrick to go through the notes I had made for him. Perhaps I had unconsciously set this thing, whatever it was, down in black and white, and he could find it and decipher it for me.

The next morning Sergeant Lyttle appeared to collect the guns in the house; although it seemed to me a very foolish procedure, I could well understand how the police would not dare leave any stone unturned in their search now.

"Are these all the forty-fives?" I heard Lyttle ask. I could not hear Tom's rejoinder, but was surprised to see the Sergeant walk into the dining-room where I was breakfasting.

"Good morning, Mr. Williams," he said, coming around the table to shake hands with me cordially. "How are you feeling these days?"

I answered him pleasantly enough, for I liked the lad and could not forget the courtesy and restraint with which he had acted on the occasion of his first investigation. "By the way, Mr. Williams, did you bring your gun back this time?"

"Why, yes," I replied, somewhat taken back, "I hope to get some duck-shooting while I'm here."

"No. I didn't mean your shotgun," he spoke in the same suave tone. "Your forty-five."

I was surprised. "I don't own a forty-five."

Lyttle seemed much chagrined. "Why, I must have been mistaken, but I thought I remembered your telling me, when you were showing me the guns here at Bayside—you are very interested in guns, are you not?"

"Yes," I replied, somewhat mollified by his obvious discomfiture, "But I surely never told you I owned a forty-five. As a matter of fact, although fire-arms are a hobby of mine, I haven't money enough to indulge to any extent. I own three guns; a Winchester pump gun, a gift from Mr. Cyrus Evans years ago when I first came down here to shoot; a single specimen of what was once a pair of French duelling pistols—it being of the flint-lock type, I doubt if it could be of any interest to you; and, lastly, my new shotgun which I bought a year ago. It is in my room."

"You saw service in the World War, didn't you, Mr. Williams?" persisted Lyttle. "What about the forty-five you had in the Service?"

"Good Lord, man! I was an enlisted man in the Eighth Engineers. If you think I got away with any Army equipment when we were demobbed, you never served under a top-kick like ours."

Lyttle laughed a shade too politely. "Just for the purposes of keeping our record straight, Mr. Williams, would you mind my sending a man up to your rooms in Baltimore to see if, by chance, you have forgotten about any pistol?"

I exploded. "Of course, I would mind. I don't want the State Police overturning my possessions. You can take my word for it that I haven't forgotten, as you so euphemistically phrase it, any weapon in my ownership."

Lyttle apologized profusely and left me to finish my breakfast in a somewhat wrathy frame of mind. After I was done, I went upstairs to our suite; it comprised two bedrooms, a bath and small dressing room, which Mr. Vaile and I were using as a study. My chief, I knew, had driven up to town some time before I had risen since I, to my shame be it said, am a confirmed sleeper in the mornings. Before settling down to work, I walked over to the bureau for a handkerchief. Something about the pile of linen looked strange. I pulled out the lower drawers containing my shirts and underwear, and they, too, while not in obvious disarray, were not in the precise piles it is my custom to leave. No doubt existed in my mind: while Lyttle had held me in conversation in the dining-room, some one had been searching my room upstairs.

The first reaction to my discovery was a feeling of angry disgust. Never again would I trust that smooth-speaking young policeman, whom I had believed so thoughtful and well-disposed. Plausible and soft-spoken, Sergeant Lyttle was capable of such double-dealing as I had not suspected. I had no doubt that by now he had sent some one to search my flat in town—probably while he was being refused permission, he was well aware that one of his men was on his way to gain an entrance and go through all my private belongings.

Then sober second thought cooled me down somewhat. Did this activity of the police mean that I was actually under suspicion? Then I thought of Charles' half-heard words of the evening before, and their probable meaning came to me all of a sudden. It was my evidence which would have gone a long way toward convicting Tom, save for the silent witness of the bullet marking; conversely, Tom's acquittal did much to discredit my story. Furthermore, for some reason the police must believe that the gun, with which the murder was committed, had not been done away with. It either belonged to some one who could not dispose of it without rousing comment, or it reposed in some place from which its absence would be noted.

As this became clearer to me and as I began to draw some startling inferences from my conclusions, I decided that there was only one thing for me to do—I must seize the bull by the horns and attempt to clear myself at once. Taking a deep breath, I nerved myself to go in search of the Sergeant and carry the war into the open. It took nerve to do it, but I felt I must rid myself of this under-cover suspicion; a little courage now, or I feared my morale would be entirely broken down by finding myself subjected to these covert searches and distrust.

James told me that the Sergeant had gone down to the pistol range. This range occupied part of the waste land down along the beach at the eastern end of the property, the target butts being perhaps five hundred yards from the boat-house as you proceeded along the water's edge. Cyrus Evans himself had had this range constructed years ago, and it was here that the whole family had practiced shooting.

As I neared the ground I heard spasmodic firing, and

I wondered how many guns of the proper caliber had been collected. Bales of waste replaced the usual targets, and I came up in time to see a curious by-play, the significance of which entirely escaped me. Sergeant Lyttle was firing a forty-five, from whose side the sun rays glinted strangely bright. Charles was standing dangerously close, occasionally stooping down to pick up some object from the ground. Then he walked over to the Sergeant and put something in the latter's outstretched hand.

"I could only find two," I heard him say.

"One is enough," Lyttle responded, and then Tom reached out his hand for the gun.

"Sorry, sir, the District Attorney told me to bring it back."

Tom looked puzzled. "But I certainly can't let him have my trophy gun for a souvenir."

The Sergeant's face expressed sympathetic comprehension. "I'm sure they will be glad to return it to you in person, sir, if you will go over to see them about it. As soon as this exhibit is complete, there will be no more use for it." Then he turned to Charles, "Now, if you please, your gun."

Charles withdrew his weapon with a flourish. He was wearing it in a holster under his arm.

I drew Edwin aside and asked him what was going on. He shrugged his shoulders. "They sent over Tom's gun to have it test-fired with the rest, in order to get a complete series of bullets and empty cartridges for exhibit in the D. A.'s office. Typical police work—dull and stupid and much too late to do any good. Charles has been making a scene like a stubborn child. He seems to think

Tom could identify the tramp, but if any one should ask me, I'd not be surprised if Charles could put a name to him far easier."

The testing was over quickly after that, and I signified my desire for an interview with the Sergeant. We walked down to the shore and seated ourselves on a rock, where, even though it was damp and chilly, we were at least out of the range of possible eavesdroppers. It was hard enough to say what I had to, to one person, and I had no desire to broadcast my plight. In a way, I suppose this was silly, as doubtless others had followed my line of reasoning and knew that I was suspected in the eyes of the police. I can't describe my feelings as I plunged into that interview; innocent though I knew myself to be, I was caught in a tangle of fear and embarrassment. Tom had been suspected and tried, the same might happen to me, and already the horror of such a disaster was invading my consciousness and paralyzing my powers of thought. Tom had been acquitted, but all the time my mind ran along to the moment when I, standing in his place, might not be so fortunate.

"Sergeant Lyttle," I began, "when I returned from breakfast this morning to my room, I discovered that some one had been there while I was gone, evidently searching through my belongings." I waited a moment to give him a chance to speak, but, wisely enough, he kept silent, so I forged ahead. "Taken in conjunction with your remarks this morning, am I to judge that I also am under suspicion?"

This time Lyttle bestirred himself. "Shucks, Mr. Williams, you must realize how any one who was present at the time the murder took place is bound to come in for a bit of investigating. It's all a matter of keeping the records straight."

I blew up completely at the repetition of the phrase now so opprobrious to me. "Damn you, don't tell me that again! I'm not a fool, nor am I entirely unacquainted with police procedure by this time. I know, I'd be the ideal culprit for you. If you can't reconcile my statement of what I heard with what you now believe to be the facts of the case, you'd rather discard my story altogether than to try to see where it fits in. All right, but it still doesn't prove me a murderer, you know."

The Sergeant was perturbed by my unexpected outburst. "Mr. Williams, no one has accused you of being a murderer. You are getting too excited; take it easier. Now here is the situation—you tell us a tale of the events which happened on the afternoon Mr. Cyrus Evans was shot, and it is largely on this evidence that we proceed against Mr. Thomas Evans in such haste without making sufficiently sure investigations of the matter—"

"Your statement is not true," I cut in. "The main piece of evidence against Tom was the gun, and you, yourself, Sergeant, told me that you felt you had taken the murderer redhanded."

I had caught him there. "Well, let's put it this way. Your story fitted in with what we believed to be the truth, but now, when the facts prove entirely different than they seemed at first, it becomes necessary to look on your evidence in another light. But I assure you we are not discarding your story—not at all."

"And I tell you my evidence is true, so far as I know, as true now as it was then."

Sergeant Lyttle began to pick up pebbles and cast them aimlessly into the water. "Look here, Mr. Williams, if you were in the house you must have heard all three shots. You didn't and, therefore, you weren't in the house. Where were you standing when you heard, at four-fifty exactly, the shot that killed Cyrus, but were unable to hear the shooting at the other side of the estate?"

I remained stubborn. "I was in the bath-tub. There was no reason for the curious trick of hearing, but every word I've told you was true."

Lyttle did not so much as glance at me, but remained intent on his pebble throwing. "So you now think it was all a curious trick of hearing, an auditory hallucination, in fact?"

"I don't know what to think—I never did—but, until now, you all thought it was true hearing."

Another pebble skipped across the waves. "Why do you persist in your story, when it was clearly impossible?" he asked softly. "If you'll tell me where you were, what you saw that made you determine to keep silent on the whole truth, I think I can help you a lot. Nobody wants to make things disagreeable for you. It would be a lot better to tell me now than wait until I find out, as I'm bound to do."

I wondered helplessly if this was Lyttle's own particular method of a third degree; whatever it was, it was grimly reminiscent of the words we had all spoken about Tom's adhering to a piece of evidence that seemed false on the surface of it. I didn't like this at all, it too closely paralleled Tom's experience, and I was no cool, clever, criminal lawyer.

"I can't tell you any more than I have," I said desperately, "and if you don't believe me, I don't see what I can do about it."

The Sergeant looked at me queerly as I rose to go. He spoke quietly, "The best advice I can give you, Mr. Williams, is to go and talk it over with Mr. Vaile."

I returned to the house in a sober frame of mind. The last remark of Lyttle's did nothing to disguise the gravity of the situation, which had so unexpectedly engulfed me, but his bit of parting advice was good, all right, and I determined to act on it as soon as my chief returned from Baltimore.

It was not until late in the evening, however, that the opportunity for a confidential talk arose. I knocked at John Patrick's door after he had retired and requested him to join me in the study for a few minutes. He complied with my request with an alacrity which made me suspect it was not wholly unexpected.

My chief was never a difficult person to talk to, and I told my tale unhurriedly and without heat, for, as the day had passed, the anger which had at first gripped me had disappeared entirely, leaving in its stead a sense of lively disquietude.

He heard me to the end without comment and then said, "Well, Bob, I tried to warn you that this might happen. It's so logical from the police point of view. You see, they banked so much on your evidence during Tom's trial that in the reaction following they are bound to think there is something wrong with your story, now. The next step is to consider you as a possible suspect—you have no alibi, you know."

This was an uncomfortable thought; I, myself, had sent James to the lodge, and the only other indoor servant, the cook, we already knew had not been in the house at the early hour. The idea had an awful fascination for me and I found myself saying, as if discussing a third party, "Yes, I had plenty of time, since I did not at once join the troopers in Tom's study. The police believed ten minutes was enough for Tom to commit the murder, and I had as much time as he did. But why should I want to kill Cyrus Evans? I liked the old man."

John Patrick laid a fatherly hand on my shoulder. "Don't let it get you, son. It seems to me, the motive is the weak part. The only conceivable way in which any one would seem to benefit by Cyrus' death is financially. Now are all your business affairs in good order?"

I heaved a sigh of relief. "Of course. I have enough money to satisfy my modest needs—you know what my income is, better than any one else."

"Forgive me for asking, then," continued John Patrick gently. "There are no drains on your income—no gambling, no speculation, no women?"

I shook my head. "Not a thing. But if there were, what good would Cyrus' money do me?"

"Well, with Tom convicted of murder and me in Europe, you would have temporary control of a huge fortune; I can think of several things you might do with it, but I'd better not let Lyttle hear me say so, or I shall be the next on his blacklist. So far as you are concerned, the motive is lacking, unless the police can prove some definite need for immediate funds. I imagine their interest in you will stop at suspecting that you saw something or some one and are deliberately concealing evidence."

"That is a serious enough offense," I scoffed, "and all the while they are concentrating on me, the real murderer is going scot free."

For the first time there was born in me a burning desire to catch and convict the real criminal. Up until now I had not cared particularly, for I was deterred by the vague fear of the truth being more horrible than the uncertainty. Now when the foul breath of suspicion had been wafted over me, it was no longer a question of impersonal justice, it was a direct vengeance of a wrong done myself.

I voiced something of this feeling and then burst out, "The worst of it is, I know I have a clue, but I can't find out what it is that I have once had and now miss entirely."

John Patrick nodded gravely. "Every bit of thinking I do forces me to the definite conclusion that the murderer is some one in our immediate circle, and probably both you and I have clues whose purport we can't understand or wouldn't believe if we could. Do you realize what this means? Some one we see every day, some one we eat with, some one we talk to, is a brutal killer. But enough of this—the first thing we have to do is to clear you from suspicion. I'm going to read over the notes you made on the day of the murder, and see if we can't find some way of proving to Lyttle that you never left the house, when once you had arrived, and you were never in the position to gain any guilty knowledge of any aspect of the affair."

In spite of this promise of my chief, I slept but little during the night and rose unwontedly early the next morning to join the family at breakfast. Charles and

Tom had already finished, but John Patrick looked up from the table when I came in and remarked casually, "I took the liberty of telephoning to the Sergeant to come over this morning. I have an idea that I ran across something to interest him."

My heart leaped, for there was no mistaking the meaning of my chief's words nor the confidence in his tone. He must have stumbled on some clue which would make the police willing to leave me outside the field of their investigation. Edwin, however, seemed to take exception to John Patrick's words. He yawned and remarked, "Oh, let's get the estate settled up and let the police run their own show; that's what they are paid for."

There was just enough ambiguity in the last phrase to convey the unmistakable meaning that if the discovery of the murderer was the business of the paid guardians of the law, so the settlement of the estate was the business of the paid lawyers. John Patrick, unabashed, cheerfully ignored the implication and discoursed on the weather, always an indispensable topic. He proposed going the next day up Romney Creek to try his luck for a Thanksgiving goose.

After breakfast my chief and I went up to our study, and we had scarcely seated ourselves when the Sergeant was announced. John Patrick launched forth on his talk at once, "Sergeant Lyttle, my young partner has told me that he believes the police are holding him under suspicion in connection with the murder of our former client, Cyrus Evans."

"Not at all," hastily disclaimed Lyttle, mindful of the search made without a warrant, I fancy; "we are merely endeavoring to check up the stories of every one who was present on the afternoon of Mr. Cyrus Evans' death. Merely a matter—" I believe he was about to use his favorite phrase, but after a hasty glance in my direction, he finished, "Merely a matter of police routine."

"Just so," assented John Patrick. "It will no doubt facilitate police routine," his voice stressed these words ever so slightly, "if I point out one thing which seems to have escaped your notice, but which to my mind furnishes rather definite information as to the impossibility of Williams ever being outside the house, once he had put in the call to your barracks. I am going to quote from the notes made by Mr. Williams at the time of the murder and then dispatched to me to acquaint me with the case.

" 'After I had dispatched James to the lodge gates, I went upstairs to the room which had been indicated as mine; going into the bathroom, I started a tub, came out closing the door behind me and began to remove my outer clothing, intended to bathe and shave before the family should return. Just as I got into my tub, a shot rang out. My eyes fell on my wrist-watch, exactly at four-fifty. I finished my bath and began to shave. Hearing the sound of voices, I concluded my shaving as rapidly as possible and dressed.'

"That is Mr. Williams' own account of his doings. If it is a correct account, it is impossible for him to have gotten down to the dock, or any place else where his presence would be important, and, then to have returned. I am going to call James to verify part of this, for I am sure you will grant me my reasoning?" He pressed the bell for James.

Lyttle agreed with everything my chief said. "We have already checked the time at which he telephoned headquarters and the time when he walked into the study."

"How long an interval?" asked John Patrick sharply.

The Sergeant looked uncertain for a minute, and then reached into his pocket and brought out some notes. "Four forty-one and five-five,—twenty-four minutes."

My chief smiled. "Goodness, if you knew him as well as I do, you'd be surprised beyond all measure at his bathing and dressing so rapidly. Now to prove his account true—James," he addressed the butler who had just knocked and been bidden to enter, "James, did you notice Mr. Williams' appearance when he first arrived?"

" 'Deed, I did, suh," replied that individual warmly. "He was wearin' a gray business suit, without no topcoat. It wuz wrinkled and dirty. So Ah knowed he had a dirty ride on the train. He had a streak of soot on the back of his neck, up above his collar."

I winced at James' graphic description of my appearance, but John Patrick laughed heartily and held up his hand.

"How about his face? Did he need a shave or not?"

"Yessuh. Ah noted special he hadn't shaved since goodness knows when, 'cause most gin'rally, Mr. Williams is whut Ah calls a mos' perticular gentleman."

"Well, I can testify to a clean-shaven chin and golf knickers when I met him. I even recall a slight nick in the chin perhaps caused by too much hurry when shaving." Lyttle spoke heartily. "That's fine, Mr. Williams, I'll check up on your appearance from the taxi driver, and the station agent can probably remember you. If you changed your clothes and shaved, you didn't have time to do anything else—not of interest to us, anyway. I'm grateful to Mr. Vaile for bringing this simple point to my notice."

James was still to be heard from. "Lookit hyar, Mr. Cop, he took a bath, too; leastwise, he used all the hot water, 'cause there wuz plenty at four-thirty when Ah went out to see, and when Mr. Edwin came in to take his bath, it wuz all gone and Ah had to go an' het it up again."

After James went out, I smiled at Lyttle. "I suppose you'd believe I let the tub run without ever getting in at all. My alibi rests on the shave and change of clothing. I want to show you what a slight circumstance it was to give me that alibi at all. Customarily, I shave in the morning before going to work, but that particular day the fuse blew out in the bathroom and, rather than wait until it was fixed, I went down to the office, planning to go out later to get a shave. Then, leaving on the early train, I had just time to rush back to my apartment and pack, so I arrived with an unshaven chin."

Lyttle smiled at me with more cordiality than I had seen him manifest for some time. "Yes, Mr. Williams, the bath and even the change of clothing might have been faked, but the whiskers never. However, don't think this alibi, resting on such a tenuous basis, is the only thing to clear you. Personally, I was convinced of your innocence all along, on the ground that never in the course of our conversations together have I found any reason to believe you are the type of man who could conceive and execute such a brilliant plot to gain control of the Evans' fortune."

"Well, I'll be—," I gasped weakly. "You have finally exonerated me of all blame because you don't think I have the brains."

John Patrick and the Sergeant joined each other in laughter. "Not the criminal brain, anyhow, son," said the former. "I am sure the Sergeant is not underrating your intelligence, but he simply can't see you in the role of a great criminal. Nor could I believe he thought very seriously of your concealing any very important evidence—you are too much the lawyer for that. Now you have supplied him with proof of your whereabouts so he can cross you out of the situation entirely."

Thus quickly did I dash in and fade out of the principal role of the plot; but the hours when I knew myself to be under suspicion remained indelible on my mind and strengthened my resolution to be implacable in my relentless search for the real criminal.

CHAPTER TEN

BEFORE the Sergeant left us, John Patrick extracted from him sufficient information to let us know that the results of yesterday's test-firing had been absolutely nil as far as connecting any gun in the house with the shooting of Cyrus Evans. This was exactly what I had expected, but it seemed to merit deep thought on the part of my chief. He was obviously distracted and disinclined to work, so I was not surprised when, after a few half-hearted attempts to settle down, he rose and left the study, going into his own room from whence he reappeared with a bundle of notes pertaining to the case. Most of these had been made by me, for John Patrick's perusal on his return from England, but he had added many himself to keep the record up to date.

I worked on for more than an hour, occasionally glancing out of the corner of my eye at the immobile figure so absorbed in the papers on his lap. Most of the time I was unconscious that there was any one in the room with me, so quiet did he keep, so profound was his concentration. Once in a while he would turn over the pages of the manuscript softly, as if to compare two separate entries. Then he sat staring for a long time at the carpet. It was almost noon when he got up abruptly and said, "Don't expect me back for lunch; my errand may take some time." And with that, he departed, leaving me to my own devices for the rest of the day.

I had no idea what time my chief returned, although he was present at dinner. I tried to make an opportunity to question him about his mysterious doings when we were alone in the evening, but he smilingly evaded me with the excuse of needing sleep, since we were to go out to the duck-blind before daylight. I was forced to be content; indeed, I knew him well enough to be aware, how little chance I had of forcing his confidence until he was ready to give it to me.

So on the following morning we prepared to get the duck-shooting for which I had originally come down to Bayside. How much had changed in the very short interval since I had taken the slow train out of Baltimore and precipitated myself into this affair!

As we went down to the dock to get aboard the cruiser, the ill-fated boat on which Cyrus had made his last trip, I must confess that my scalp prickled and cold chills chased along my spine. It was an eerie feeling to be standing there in the cold, moist November night. The period just before dawn is at best uncanny and incompatible to man and beast alike, as if some vague prehistoric memory would warn us that in the ageless interval between dawn and daylight the familiar homely things of life lose their meaning, giving place to the formless monsters of unwilling imagination whose prototypes roamed the earth ere the beginning of civilization. I glanced nervously over my shoulder to reassure myself that the lumber-pile, put to such sinister use, had vanished, no longer affording shelter to mysterious gunmen.

Whether, or no, my companion shared my feelings, I cannot say, for he preserved an absolute silence save to issue an occasional word of advice as regarded our progress. As soon as we were aboard the cruiser, I busied myself in the engine room, leaving to him the difficult task of piloting the craft down the winding channel to anchor at the mouth of Romney Creek. Once there, we loaded our equipment into the dory, which we had towed along, and made for the blind. The stars were growing pale, the day was close at hand, and it behooved us to hurry before the ducks had left the upper reaches of the creek to go out into the bay. Already a few stragglers were at an early breakfast, but we held off as the game laws protect the birds until the moment of official sunrise.

The next few hours were glorious shooting. A crisp breeze, rolling sizable breakers into the sparkling bay, forced the ducks into the creek and, though the chill air gave promise of snow before night, we were kept warm and busy by our sport. As the high spot of the morning, we each got several geese. We had spied a few flying wedges dark against the sky and we prayed for them to come in range. Suddenly, a gander swooped down, his outstretched wings breaking against the air as a skilled pilot might bring his plane in to land. John Patrick got him, while I accounted for several geese which flew around aimlessly waiting for their leader to return to his disorganized flight.

Then, as the sun shone brighter and the morning wore on, the birds became scarcer, so we took ourselves a little rest to open up the lunch basket of sandwiches and hot coffee, thoughtfully provided by the astute James. As we ate, John Patrick began to tell me of his errand of the previous day and of his suspicions, which were to open up an entirely new line of investigation in our mystery.

"Bob," he began, "now that you have been delivered from the jaws of the enemy, so to speak, you know how it feels to be placed under suspicion when you are totally innocent. To date, there has been a great deal of building on circumstantial evidence and I don't care to contribute any more. Yet, when I was studying your notes of the case, I came across several rather queer items affecting one or more persons—sufficiently queer, in my humble opinion, to merit investigation."

"What do you propose doing?" I asked.

"I think you and I can handle it ourselves. There will be time enough to hand it over to the police when we have something to show for our efforts; even if we find only a mare's nest, we shall have done no harm, involved no innocent person. To be honest with you, son, my ideas are mighty far-fetched and will need some grooming before we get down to facts."

"I like your metaphor," I answered with a lazy grin. "I presume it signifies a war-horse on the scent of battle. I must admit your remarks, so far, are incomprehensible but interesting."

John Patrick never mistook my fooling for disrespect; indeed, I rather think he liked my addressing him as a contemporary, although goodness knows why I shouldn't. There was a permanent youth about my chief, which made me feel at times as if I were the older and more staid of the two. Now he drew out his pipe, stretched himself out on the hard planks of the blind and rolled up his outer coat, which the heat of the sun had made unnecessary, into a pillow for his head.

"You remember Edwin's evidence at the inquest?"

"Edwin?" I queried in surprise. "Why, no; he was just a witness for his own alibi."

"Exactly; and did you notice how much he contrived to get into the records about his own movements for the day?"

"Now that you speak of it, I recall that I rather wondered at his manner; he was taking up a great deal of the time, telling things not at all pertaining to the murder. He knew nothing about the crime itself, apparently."

"Apparently. I remember you told me that during the trial you rather distrusted the alibis the brothers offered. Now, the interesting part of his story has to do with the hours between four and six, when he claims to have frequented the Crystal Palace theater in Belton. What a shock he must have sustained when the trooper brought the ticket girl to the hearing and she failed to identify Edwin."

"Oh, no," I corrected him promptly. "If my notes gave you any such impression, they must have been carelessly written."

"Well, son," Vaile smiled at me, "you did a better job on those notes than you have any idea. If I relied on your recollection now, I'm afraid I'd get only a second-hand valuation. My contention is, Edwin never saw the movie, but he laid his plans to use it as an alibi. Now if he needed an alibi, you can bank on it he wouldn't neglect to have the ticket-seller support it. No one else would be at all important, for it is dark in the theater and the usher who takes your tickets wouldn't be expected to see and remember faces."

"You seem to be very well acquainted with the procedure at the Crystal Palace," I teased. "I didn't know you were a theater fan."

"I spent all day over there, more or less," he returned. "But let me tell you what first aroused my suspicions. It is quite a nice point, I think, especially since every one else seems to have missed it completely. Now, according to your notes, Edwin told the Coroner a brief simple tale to account for his whereabouts on the entire day of his uncle's murder. That was very nice of him, but, as I said, the only part we are interested in is from say three o'clock, when he left Baltimore, to shortly after six, when you all saw him at Bayside. We'll allow him about an hour to get to Belton, since he says it was about four when he dropped in at the movie. Supposing him, then, to be in Belton at four, how long would it take him to get over here, if he drove directly through?"

"He could make it in a half hour easily," I answered.

"All right, then, it is certainly within the realm of probability that he was here."

"But I don't see why you should think he actually did come on to Bayside," I objected. "Just because the ticket-seller didn't recognize him is not good enough. I'm inclined to agree with the Coroner; you remember he said it would be queer if she did."

"My suspicions were aroused by Edwin's behavior.

It seemed to me, he expected so confidently to be recognized, that when the girl professed herself unable to do so he got in a sort of panic."

I had to object to this. "That is just what he did not do; he took it very lightly and proceeded to tell the court an amusing episode from the picture."

"Quite right," answered John Patrick. "Up to then, he had been grave and reserved; now he became light and jovial, injecting the only humor of the day into the court investigating, you must remember, the death of his uncle. I wonder, would you really expect such behavior from Edwin?"

I had to admit that my chief had scored a point on me there. It was true he had been the only witness to seek the favor of the court when it would have been more like him to resent any possible disbelief in his words.

My chief continued: "This was what struck me first and made me think the point, however small, was worth investigating. The first move I made was to try to see the girl who gave her evidence that she was at the ticket window on the afternoon of November tenth. She was not to be found. A girl named Catherine Small has the job regularly, and she told me how on the particular afternoon in question she had been taken ill and left early, her sister volunteering to take her place. I asked Miss Catherine if she would have noticed Mr. Edwin Evans, had she been there when he came in. She left no doubt on the score; she knows him well, because he always talks to her, occasionally brings her small presents and is, all in all, the nicest gentleman who comes to the theater. She told me with the warmest regrets in her tone how sorry she was to have been absent from the window the day that Mr. Evans had been there last, as she would have unfailingly known him. I inquired as to her sister's whereabouts, but drew a blank there. It seems, the sister works in Wheeling and was home for a week's visit only. But I did see a picture of the girl and there is enough resemblance between the two so that Edwin, glancing casually through the window, may not have realized the substitution. How does this reasoning strike you?"

"It seems probable that Edwin expected the girl to recognize him and not until he saw her in court did he realize his error; but I don't yet see how you know he wasn't at the cinema."

"Oh, I'm not done yet. I found out many more things. I was somewhat handicapped by the fact that your notes rather slurred over the nature of the scene to which Edwin alluded in court, but I came to the conclusion it must be the part of the picture which is supposed to take place behind the scenes at a musical comedy."

"Yes, I think so," I replied, rather puzzled. "I saw the picture in Baltimore. The heroine becomes a member of the chorus and they run several scenes with showgirls and so on, and then the heroine comes in à la Lady Godiva on a white horse. The humor lies in the bewilderment of her country swain, who stumbles in on the rehearsal."

"Quite so," John Patrick watched me with a twinkle in his eye. "Was the picture in Baltimore before it came out here?"

"About a week before."

"Possibly Edwin did see it after all, then, but I fancy it was mere chance if he did. Generally speaking, I judge he reads about his pictures."

"What on earth do you mean?" I asked.

My chief chuckled. "I might know you wouldn't guess. You see, Bob, they publish magazines devoted to the motion picture industry—"

"Of course," I murmured indignantly. "They have pictures of the stars and interviews with them. I'm not such a back number as not to have seen them."

"Good!" exclaimed John Patrick. "Then you will get the point when I tell you that in the course of my more recondite searchings, I found a number of gaudy pictures obviously cut from these publications adorning James' cottage, and when I questioned him he admitted freely that he had gotten them from magazines which Edwin had brought to the house and later discarded."

"An astounding taste on Edwin's part," I admitted smiling; "but not necessarily indicative of all the information you have drawn from it."

"Wait a minute; the knowledge which James imparted to me sometime ago was in the back of my mind when I was going over the case and, under the circumstances, I felt it permissible to do a little surreptitious raiding. You must remember that at the time of which I am speaking, I was anxious to free you from the talons of the police, then eagerly reaching out for you. I believed the end to justify the means, even though to encompass your escape I had to feed another victim to the rapacious jaws of the not-to-be-denied constabulary."

"Go on," I said, much amused, "I judge this is a high-flown preamble to a confession of theft; or was it only breaking and entering?"

My chief paid me no attention. "I was in no danger of being interrupted, since Edwin had gone to Baltimore, and Charles had departed to the village for a hair-cut, so I paid their room a little visit. In Edwin's bedroom, on the night-table between a copy of *Polo* and a copy of *Yachting,* I found the latest edition of *Photo Review.*"

"And that," I asked, having caught on at last, "contained a review of 'Sinners Indeed'?"

"Quite right. As a matter of fact, it was a very brief resumé of the story and criticism of the picture, which I am inclined to believe perhaps Edwin had seen after all, probably in Baltimore. But he never saw it in Belton, Bob, and I found the clue to that fact right in the very magazine in Edwin's room."

"What do you mean?" I was very curious and wide-awake now.

"A bit of editorial comment bewailed the tendency prevailing in small towns of permitting local censorship to ruin artistic and expensive production by deleting certain scenes distasteful to the prurient mind. Among the pictures so affected in certain localities was mentioned 'Sinners Indeed,' and the episode questioned by the rural bluenoses was none other than the famous chorus scene."

"It was cut out at Belton?" I asked incredulously.

"That was my first business—to find out whether Belton was one of those towns whose Puritans were offended by this cinema bit. The State Board of Censors is very lenient, as you know, and that makes the local censors twice as vigilant. I questioned the manager of the theater and then confirmed what he told me by the evidence of three more people who had seen the show—but the manager alone should have convinced me. His lamentations were long and loud on the subject, for it seems that one of his patrons had seen the movie in its pristine purity—or lack of it—in the city, and the estimable lady had immediately taken it up with the local and self-appointed guardians of public morals in our county seat, with the result that the offending bit of celluloid was stricken out remorselessly amid loud shouts of 'What is wrong in the Free State?' "

I was white with excitement. Provided my chief had followed the proper line of reasoning—and it seemed to me he had—then Edwin had deliberately lied on the witness stand. I had sensed from the beginning that there was something queer about his eagerness to get his story before the troopers; now I saw that his whole reason for doing so was to disarm suspicion. He could not afford to have his tale questioned. And we had all been blind enough to follow his lead like dumb sheep. My breath was coming in quick gasps.

"Why, then, we know the possible murderer!" I said, my words tumbling over each other. "If Edwin told a lie on the witness stand, the only conceivable reason must have been to conceal his presence at Bayside."

"What would you suggest doing about it?" Vaile asked with maddening calmness.

"Why, tell the police, of course. We ought to arrest him right away. We can do that, you know—any citizen can."

My chief sighed. "You are too impetuous, Bob."

"Why not, we know he didn't tell the truth?" I said, doggedly.

"We think he didn't," John Patrick pointed out. "The police thought you were somewhere outside the house, until you proved you weren't."

"That was different. I was absolutely innocent."

"Unfortunately, from the point of view of admissible evidence, innocence is generally far harder to prove than guilt. Now, suppose you go to Lyttle and say, 'Look at here, Sergeant, I have reason to believe that Edwin was not at the movies at all on the afternoon of November tenth; he described a scene from a picture, but it had been cut out by censorship when the film was shown at Belton.' Then Edwin comes along and says, 'Oh, yes, how stupid of me; I saw the picture in Baltimore and liked it so well I went to see it again at Belton, but now I remember that part was cut out. Thank you very much for reminding me.' What are you going to do then? Can you prove he didn't see the movie in Baltimore? Can you deny, he wasn't too excited at the inquest to remember which time he saw the interesting bit?"

"Well, why not tell Lyttle what we know?" I urged again. "He can work on the proof better than we can."

"I don't want to, at least until we are sure we understand the significance of what we have found out. We need some confirmation of what, after all, is only the guess of an old man."

"It isn't a guess," I protested. "We are practically sure he lied on the witness stand."

Vaile interrupted me hastily. "That is exactly what he didn't do, Bob, and I want you to note the point carefully. He lied to Lyttle, and he lied to the Coroner, and so successful were his prevarications that he was not asked, when the case came to trial, for any account of his movements. I want you to keep in mind the question, would he have lied in Court? You see, he was taking a terrific chance to tell the story he did at the inquest—now would he have taken the chance for any reason in the world save to hide his presence on the estate on the afternoon in question? The stake against him, the penalty if he lost, was the casting of suspicion in his direction. But if he told the same tale at the actual trial, he would have been liable to indictment for perjury, even if they could not pin the murder to him. Would he have taken that gamble? In other words, how big was the stake for Edwin?"

"Plenty big enough," I put in, "if he committed murder."

"Or if he did not do the murder, but was on the grounds when it occurred and has some guilty knowledge."

"He is in it somehow," I exclaimed with certainty; "and we are going to find out how."

"Good! But remember, no preconceived ideas when you start your detective work."

"What am I to do? Are we going to carry on without the police?" I asked.

"Just so. I want to find out what Edwin was up to, why he did these peculiar things. I think the place to start is Baltimore, where you can begin to trace his movements for the day. See if he has told any other lies. We have to find a convincing motive for him, remember."

"He had motive enough," I said. "He always wanted money."

"Always, is one of the longest words in the English language. The murder took place on a particular afternoon. Now, why and, above all, who was the tramp—"

I broke in, "Edwin, of course, and Tom knew it all the time. He'd go that far to protect one of his own family."

"Are you sure?" John Patrick eyed me meditatively. "I don't know, but we've got to make the tramp fit in somehow. This business is not going to be handed over to the troopers until we have a neat, shipshape little package of evidence, proof against any defence the criminal may offer. You may find other people involved, other motives—all sorts of things may pop up and we must be prepared for them."

I was eager now to start.—"Shall we go to Baltimore tomorrow?" I queried.

"Not we—you. We are not going to be too obvious about this. You go to Baltimore, talk to everybody you can find who saw Edwin on the tenth, find out what he said and how he acted; then go over to the Crystal Palace, talk with Miss Small, look over the theater and see how the alibi worked. He didn't just buy a ticket and turn around to walk away, you know."

The rest of the day was marked by spasmodic flights until shortly before sunset, when the ducks returned to the creek in full force. For the half-hour before the legal time limit ran out, we were busy shooting and retrieving our kill. Finally, as the hands of my wristwatch read two minutes past five, the official hour of sunset, we ceased our sport, packed our gear and returned to the cruiser. After I had her engines started, I went up on deck and sat on the rail. The twilight was fast closing in and only the shadowy form and glow of his pipe marked where John Patrick stood at the wheel.

"Son," he said, as soon as he heard me, "there is something I want to impress on you. You are embarking on a dangerous course, pitting your wits against a desperate criminal. Don't ever forget it, act slowly rather than rashly."

I shrugged my shoulders in the darkness. Truly, John Patrick was more fit for arm-chair detection than real work. I admired the ability with which he deduced the significant facts, but I was glad he was leaving me to do the actual trailing, for I was certain I would not be hampered by any foolish over-cautiousness.

Just before it was time for me to return to the engine, I heard a chuckle. "Bob," said Vaile, "do you realize, if Edwin did do the murder, the thing to catch him up will be the act of the local board of censors? I reckon, that's mighty near the best excuse any one has yet found for censorship."

CHAPTER ELEVEN

I HAD no past experience to guide me as to the proper procedure to follow when I set out to trace Edwin's movement in Baltimore, nor did I have any particular idea just what to expect. Neither did I have any thought that the police might have already covered my line of investigation. It rather surprises me now, when I think it over, that I succeeded twice where the professionals failed; once by reason of painstaking concern with what the official mind felt was a useless triviality, and again by reason of what my friends politely call my innate artlessness.

I decided to begin my work by presuming upon a very casual acquaintance with the junior member of the brokerage firm, which had the doubtful privilege of carrying Edwin's account. I left Bayside in my bantam Henley, a relic of an inspired English trip, which no longer attracts the attention it once did, due to the advent of the American Austin. I drove the forty miles to Baltimore, arriving at the broker's office about ten-thirty, and immediately requested to see young Courtney.

"Hello, Bill," I greeted him with, I hoped, a fairly convincing attempt at lightness. "Just dropped in to see you; I'm not in town much these days."

"Oh, hello, Williams," he said, carefully closing the door into the customer's room, whence my call had summoned him. "You are a stranger in our establishment. Well, a lot of new people are coming into the market these days."

"Not on your life," I disclaimed hastily. "I'm just in for a social call—not an idea of business. At least, so far as I am concerned," I amended craftily. "To tell the truth, I am a bit interested in stock quotations on account of a client; you know we are hard at work settling the Evans' estate."

"Oh!" commented Courtney, shortly, cast down in his hope of a prospective customer. "Well, I suppose old Cyrus did hold a few stocks, although nothing like what he held in his heyday. I tell you, Bob, that's what made the Old Pirate rich—buying them when they were low and selling them when they were high."

I grinned. "There speaks the young salesman. Does your next speech have to do with not selling your country short, or do you prefer Rothschild's immortal refutation of your proverb?"

Court laughed and replied, "When do you get through the business down in the country? Maybe I can sell you some bonds—you ought to invest your fees in something."

I thought I saw an opening. "No hurry; the heirs are content to wait long enough to get it all correct and shipshape."

"They are, are they?" Bill rose to the bait beautifully. "Some of them may sing another tune if the market goes down much further."

"Edwin told me he was holding a short position," I said lightly. "He doesn't seem pressed for funds."

Courtney's professional taciturnity settled down on him and he seemed to regret the one outburst. As I could hardly hope to get him to give a client away so easily, I bided my time, interested myself in his business and submitted to being shown around the premises. When we returned to the office, I could see that he was plainly waiting for me to leave. The moment had come to risk more direct measures.

"Sit down a minute, Court," I pleaded. "Mr. Vaile and I have struck a snag and he sent me up here to get your help. There is something queer in the records at Bayside and to get them straight I've got to get a line on some of Edwin's transactions. I know you don't generally feel free to impart information about a customer's dealings with you, but you know how it is—exceptional circumstances and all that."

I wondered if this mixture of truth and falsehood would be sufficient to tap the well-springs of information; to my surprise, Courtney looked absolutely relieved.

"Don't apologize, Bob, a broker doesn't feel natural nowadays unless somebody is investigating him for something. But, in all seriousness, I'm glad for a chance to talk things over with you. The trouble is, we have been bothered continually by the police. Jones and I took lunch with Edwin the day Cyrus was killed. At first the questions the police asked were natural enough—just to establish the fact that Edwin was here and all." He stopped a second to light a cigarette and then continued, "This last week we have had two calls from a fellow named Lyttle. He snoops around here asking all kinds of questions, but when you try to pin him down and get rid of him, he evades you with some remark about keeping his records straight."

I repressed a grin. "He is the Sergeant in charge of the case. He's smooth as butter, Court, and, in spite of his polite chatter, right on the job. He put me in the dickens of a fix, where only John Patrick's wit served to extricate me." And I explained the predicament in which I found myself not so long ago.

Bill Courtney nodded with sympathetic understanding. "I never did trust that guy. That's the devil of having the police around. They stir up no end of a mess and when the dust settles, there is many an innocent party gets—er, well, dusty. It's bad for business and business is bad enough anyhow. Now, if I had any dope to help, actually I'd spill it and gladly if it would keep the cops away from here. But I don't know what to say to them, the way it all is now."

Gratefully, I seized the opportunity so unexpectedly presented. "If you'd care to talk it over with me, I'll take whatever information you can give me to Mr. Vaile, and I'm sure he'll think of some way to save you from official annoyance."

"I hope so," sighed Courtney. "There is darned little I can tell you. We handled Evans' account for about six months, but he isn't the sort of speculator we encourage around here. You know, gambles from day to day, first on the upside, then on the down, and none too careful about his margins. We had quite a bit of trouble with him and finally we suggested, very tactfully, that he settle up with us and take his business elsewhere."

"When was this?" I inquired.

"We sent him a letter just two days before Cyrus' death. In fact, that was the reason why he came up when he did. He brought a wad of money, and paid us in currency."

"Did he usually pay in checks?"

"Yes, Skipper's National. Oh, I can tell you one thing more. His heaviest trading was from the fifteenth to the twentieth of the month; if he lost between those dates he never came in again until the next month."

"Curious," I murmured. "Then the tenth was early for him. How successful was he?"

"Oh, so-so. I imagine he broke even in the six months he has been trading with us." Courtney hesitated. "We understood in this office that his only source of income was the allowance his uncle gave him. Was it paid on the fifteenth, do you guess?"

"It was not," I retorted grimly; I ought to know, for I dispatched the check the first day of every month.

Courtney's glance shifted. "I might as well get it off my chest, I reckon. It was queer about his coming in that last day with the ready cash and then, too, he got sort of high-hat about changing his account. Hinted about his ship coming in, the money he had then being just a sample of more to come. His talk all through lunch was of the modest fortune—those were his exact words, I recall—the modest fortune he was about to get his hands on. Of course, it might have been peeve at being asked to take his account elsewhere, but neither Jones nor I thought so at the time."

I frowned without comprehending this latest development. "He talked as if he were about to come into some money? I don't know what he could have meant, for I'm sure he hasn't a relative in the world—" I stopped suddenly.

Bill seemed very uncomfortable. "Look here, old man, he may have meant nothing at all, or he may have irons in the fire we know nothing about. But there it is, and I couldn't go popping off to the police about a statement like that, only, well darn it all—he did say it, you know."

I left the broker's office in a thoughtful frame of mind. Two facts had I learned and many more did I suspect. Going over Edwin's accounts with Bill, I had discovered two different occasions, at least, when the amount of money paid over to the brokerage firm was decidedly in excess of the amount of his month's allowance; nor could the discrepancy be explained by profits recently made. Another thing, Court's story of Edwin's last trip into their office differed not a little from Edwin's own. In fact, the latter had not even hinted that he was no longer trading with them, that he had been asked to take his account elsewhere. With a start, I recalled fragments of his conversation—"I placed a few bets on the Tia Juana races." "I went back to check over the closing prices and I placed a few orders for tomorrow." There was a discrepancy somewhere, but, at that, Edwin might have been telling the truth, he might have switched brokers and refrained from mentioning the fact. But where had he taken his mysterious account and how was I to find out?

The inadvisability of applying to the Skipper's National for information was obvious. I had been successful at the brokers because of my friendship with one of the firm, but I quailed before the thought of approaching the bank officials in my capacity of self-elected detective with the hope of eliciting information from those august individuals. So I pigeon-holed that line of endeavor in my mind, deciding to consult John Patrick about the best method of getting at Edwin's bank statement, and contented myself for the moment with making a careful written record of everything I had learned thus far.

My next step must be the garage, for I had ascertained from Bill that Edwin had not used his car for the trip to the hotel where they had lunched on the momentous day. The presumption, then, was that he had left it in the only big downtown garage near the business district. Most motor commuters make a habit of leaving their cars at some particular garage adjacent to their usual destinations, and follow this habit month in and month out, leaving the open-air parking spaces to the casual tripper and shopper. Since most of the motor-car salesrooms have their service stations far out of town, I decided that Edwin, in all probability, was a customer of a mid-city station rather than the garage run by the Chrysler dealer, thus saving himself a long trip back into the city. Of course, if my reasoning were wrong and he used any of the innumerable outdoor parking areas, my task was well-nigh hopeless.

I drove up to the five-story ramp garage which housed business men's cars and inquired from the man at the booth if Mr. Edwin Evans left his car there. As I had hoped, he misunderstood my question and supplied me with the information I was seeking. Circumstances were in my favor, for the murder and subsequent trial had given the entire Evans' family a notoriety which made it fairly easy to trace the movements of any one of them. Small chance of Edwin being unnoticed anywhere he went these days.

The doorman answered my question, "Mr. Edwin Evans, he drives a Chrysler Imperial, blue phaeton, doesn't he? Not in today, but he always leaves it here when he comes to town."

"Well," I attempted to make my tone casual, "if I've missed Mr. Evans, may I talk to the mechanic who worked on his car the last time it was in?"

"No trouble, I hope?" The doorman reached into his booth to draw out a loose-leafed notebook.

"Not at all," I replied, somewhat mendaciously, I fear. "Mr. Evans was telling me about some gadget he had put on his car and he thought I'd be interested to talk to the workman about having it put on mine."

"Fred Clark, third floor, that's repairs, did some work on the Chrysler the early part of the week."

"Thanks, I'll drive up and look for him," I said. "That's the job, I remember now, he said the man was Clark. I'll just get him to estimate on my job."

"All right," said the custodian, glancing at my bantam, "but I doubt if the Henley really needs it. You see, Mr. Evans had a trunk put on the rear end."

Realizing that I was caught out fairly, I thrust a two-dollar bill in my informant's hand and drove up to the third floor. I told the attendant who came forward to meet me that I wished to speak to Fred Clark, and he jerked a dirty thumb in the direction of the farther wall. Taking it for granted that I was supposed to look out for myself, I left my car standing and gingerly picked out my way, avoiding pools of oil and stray bits of machinery lurking as traps for the unwary. The only sign of life discernible was a pair of overall-clad legs protruding from beneath a car whose engine, turning over noisily, was exposed to my gaze.

"Mr. Clark," I called, raising my voice with all my might to be heard above the din, "Mr. Clark." My yelling availed me exactly nothing, so I was forced to wait until, sliding out nicely on a little roller platform, my quarry appeared in view of his own accord.

The mechanic paid me not even the courtesy of a glance, as, adjusting a stethescope to his ears, he listened intently to the sound of the motor. Apparently, the patient was coming along nicely, in spite of the wheezes and rumbles, for Mr. Clark nodded his head critically, turned the motor off at the dash, removed an unlighted cigarette from his mouth and, after throwing it on the floor, trod on it carefully. Then jamming the stethescope into an outside pocket, he took several steps in my direction.

"Pulmonary consumption?" I inquired politely. I was really interested in the patient.

He stared at me. I recovered myself hastily. "Mr. Clark, I've been told that you usually do work on Mr. Evans' car when it is here—Mr. Edwin Evans."

"Yes," came the unexpectedly courteous reply.

Now I had not planned this interview very carefully, and for a moment I could not think how to go on. I brought out awkwardly, "The car was left here on the day of the murder?"

"Police, sir?" asked my now-very-attentive vis-a-vis.

"Not exactly," I stammered.

"Perhaps you would like to talk with the manager of the repair shops," said the quiet voice. "His office is on the right—as you go out."

I turned to depart, my cheeks burning for shame at the bungling of the job. I had decided to leave the manager quite alone, when a diminutive colored boy, who must have been lurking by the side of the car where we had been talking, came up to me. "You want to know all about Mr. Edwin Evans' car?" he asked. "Then, Boss, I'se your man."

This was luck, indeed. I nodded my assent and he led me to another section of the shop, where we could talk without observation. Seating ourselves on the running-board of a dismantled sedan, we got down to business at once. Whatever leanings toward taciturnity Mr. Clark had were entirely lacking in my new friend. The prospect of a half-hour's freedom from work, combined with the possibility of a tip, loosed the flood-gates of speech.

The urchin undoubtedly believed me to be a detective and, since as such I had an added glamour in his eyes, I did not disabuse him of the notion. His story wandered through the mazes of incidental information, but told me little except that Edwin had left his car for some minor repairs in the morning and had given orders for it to be driven upstairs to be washed before he called for it.

"Would the boys who washed it be able to give me any information?" I asked.

"Not a bit, Boss," eagerly disclaimed the youngster. "They jes' run the car through the washing machine and doan pay no 'tention to it at all. Anyways, Ah wuz there all the time. I drove it up 'n' wuz waiting to drive it back, jes' bidin' mah time like, when Mr. Evans, he come up hisself. He drove it away, but he tipped me fo' bits fo' somethin' Ah found in the car."

But the something proved to be merely a lady's vanity case. Sensing my disappointment, my friend went on, "Lissen, Boss. He carries a gun in the door pocket. Ah knows, fo' Ah felt it there more 'n' once." This last in a low-pitched whisper.

Emulating Edwin's generosity in the matter of a tip, I moved off, thinking my visit to the garage, although advocated by my chief, had netted me very little. Just as I was about to get into my car, the boy came running up to me again.

"Hey, Boss, Ah just remembered somethin'. When Mr. Evans gave me the fo' bits, he says to me, 'Go to a movie, son, there's where Ah'm goin',' and he laughed so kinda funny-like, Ah just couldn't laugh back."

As I drove off, I wondered whether or no this bit of parting information could be construed into anything significant. Edwin had told the Coroner he had happened to take the upper road into Belton because it was safer in slippery weather and, passing through the town, apparently by chance he saw the picture advertised and went in. He had certainly given the impression it was a haphazard choice of entertainment, entirely unpremeditated. I was beginning to notice that Edwin had succeeded in giving us several impressions not quite verified by facts.

Suddenly an idea came to me. Belton is that rare country town which does not route all the through traffic down its main street; on the contrary, the two highways touch only the outskirts of the place. True, Edwin might have seen the picture advertised as he drove along, but he had to leave his normal route and drive into the heart of the village itself to reach the cinema. This certainly lent doubt to the premise of fortuity.

Now it was just about lunch time and I bethought myself of following Edwin's example of lunching at the Southern; but a fleeting temptation assailed me—after all, I had been at work since early morning and could I not afford to make a vacation out of my noon repast? What could I hope to find out at the Southern, a month after the event? Besides, I was very thirsty and there is a famous eating place in Baltimore which specializes in crab, and beer on draught. No, not a speakeasy, for its bare walls and wooden tables would shame these modern palaces of gin and sloth—it is an institution, and a masculine one at that. Some wag once suggested to the bartender that if he festooned flowers over the doorway and put cloth on the tables, the women would flock to his place. He replied—but no, his reply was as unprintable as it was pertinent.

Entering the place, I forgot my new role of budding detective and betook myself to a table in the last booth but one along the far wall. It was pleasantly shadowy in there, for the tables did not have any electric fixtures, and I did not observe whether the booths adjoining mine were occupied or not—an omission I was later to regret.

I was picking the succulent meat from the hard shell crab in front of me, quenching my thirst from a schooner of beer and minding my own business, when there was a loud crack from the booth next to mine, the last one in line. I was startled, although I realized what had happened—some one had hit his wooden mallet against the crab shell and it had popped open with a sharp retort. It was so loud, however, that there was a second of silence in the room, and during it I caught the resonance of a low-pitched voice, "What's the matter, Evans," it said, "are you gun-shy?"

Then the hubbub of the room began again; mallets pounding on wooden blocks, other crab-shells splitting, voices murmuring and the hum of the harbor rising from below the windows. But I had caught the timbre of the voice—and the name—and I was determined to hear more. I sat up as straight as I could and leaned against the thin boards separating me from that quiet voice in the next booth, and my effort was rewarded by catching a few phrases now and then—maddening phrases, for they piqued my curiosity without in the least satisfying it. Yet, had it not been for the moment of stillness, I am sure I would never have been able to understand a word the strange voice said—but when you were once aware of its quality, it was easy to follow, intense, incisive, possessed of queer overtones I can best describe as sinister.

I heard this speaker reply to words I could not distinguish, the utterance, I judge, of the man sitting in the same relative position in which I was, "You can't come that over us, Evans," and then a blur and then clearly, "the pistol shot on the tenth."

This was beyond the bounds of coincidence. There might be many people in Baltimore named Evans, some of whom had reason to start at a pistol shot—but the date clinched it. One of the Evans men was sitting in the booth beyond me and with him were companions who knew something I should dearly love to know. Now, you may wonder why I did not simply step out of my booth and look over into the other. I thought of this solution to my problem, but the soft purr of the unknown's voice deterred me. There was something in the sound that held me fast to my seat. It was not any of the Evanses, I feared, it was the unknown.

I was in a quandary. In order to leave, I must pass in front of their table; similarly, in order for them to depart, they must come into my line of vision. I decided on the latter course; I should wait for them to disclose their identity. By this time I had decided there were at least three of them, for I had isolated a rough, grumbling monotone, sounding somehow familiar. The odds —three to one—were too much for me to cope with, so I curbed my impatience, ordered another glass of beer and settled down to wait.

But the last glass of beer was my undoing. It called attention to my presence. The waiter brought it and then answered a summons to the other table. I saw him standing slightly bent over, as if answering questions addressed in a low tone, and I caught him casting a sly surreptitious glance in my direction—infallible indication that I was under discussion. I wanted more than anything on earth to get up and walk out, but dared not try it. If Edwin were there, and if, as was more than likely, he should join me, I feared I could not conceal the knowledge of my eavesdropping. Unquestionably, my Fabian policy was the best. But some of the beer slopped over from my glass, I could not control my shaking hands. Then the waiter departed, and I could hear a stir in the next booth. Some one was coming out. The first person was a tall and shambling figure; he kept his back toward me. The next, I knew subconsciously, was the owner of the terrifying voice. He was small and his face, when he turned it to me, was cold and hard. He looked at me insolently for a full moment and then walked out slowly. Perspiring, I left on the table more than enough money to pay the bill and hastened to seek the fresh air myself. As I passed the adjoining booth, I looked in, covertly at first, and then amazed I stared. It was empty.

CHAPTER TWELVE

NOT knowing what to make of my adventure in the restaurant, I found difficulty in recording it in my notebook. I was sure I had heard three separate voices, and equally sure that one of the men had been addressed as Evans. Yet I had seen only two men leave the booth and neither of them had been an inmate of Bayside—the vanishing of the mysterious third person completed my bewilderment.

In spite of all this, my day was not done. I drove out to Belton, carefully noting the time it took me; exactly one hour and ten minutes, approximately as long as it would have taken to reach the Bayside gates, had I gone by the lower road. Entering Belton, I had a sudden thought, inspired by the sight of the State Troopers' substation. Had any one on duty there, the afternoon of the tenth, observed Edwin's car passing and, if so, would they tell me? I decided to put this up to John Patrick for, although such knowledge would be of certain assistance, I had no desire to see Sergeant Lyttle right then.

I drove on and parked my car in a small alley-way back of the Crystal Palace. Then I walked around in front to buy my ticket. In the act of picking up my change I glanced through the window with a start of feigned surprise, "Why, it is Miss Catherine Small, isn't it?"

The girl nodded a grudging assent.

"Mr. John Patrick Vaile mentioned your name to me. I am his junior partner, working with him, you know. I wonder—I'd like very much to have you tell me what you told him, just so I'd hear it first-hand. Perhaps I could meet you some place when you are through work and we could talk."

She looked me over for the barest fraction of a second, and then, seeming to find reassurance in my appearance, said, "I go down the street for my supper at five-thirty. You could meet me there, Miner's Cafe, it is."

"All right," I replied. "Five-thirty will give me just about time to see the main picture."

I walked in and found a seat with difficulty in the darkness. Now I wasn't particularly interested in the feature and to this day I have never been able to recall what was on the screen. My first business, once my eyes had accustomed themselves to the place, was to find some unobtrusive means of exit, for I was mindful of my chief's hint that Edwin actually entered the Crystal Palace. After a while, I discerned a curtained alcove which must hide a door, if one there was at all. Getting up, I strolled down the far aisle; no one seemed to observe my action. I entered the alcove, found a door, and walked out into the blinding sunlight. I was not more than a few feet from my own car. This, then, must be exactly what Edwin had done on the afternoon of the tenth.

Satisfied that I had accomplished my mission, I attempted to return the way I had come. I had not gone more than a few feet up the aisle when the usher came hurrying toward me and seized me by the arm.

"None of that now," he hissed in my ear. "Go around and pay your way in like the rest of them."

Much amused, I retorted, "I've given you my ticket once. It was so close in the theater, I wanted a breath of fresh air and came out here to get it."

The man was somewhat mollified but still suspicious. "It is too dark in here for me to recognize you," he said.

"Didn't you see me go out?" I asked for a purpose of my own.

"Naw. I don't watch 'em go down the aisle. I'm supposed to keep anybody from sneaking in."

By this time we had reached the back of the theater, and I signified my intention of leaving. I felt I had learned enough to forego whatever delights the Crystal Palace had to offer, and besides I could think of no other way to satisfy the usher.

The several hours intervening before the scheduled meeting gave me time to review my progress to date. It seemed to me I was getting along beautifully. No longer did I have my doubts of Edwin's attempt to conceal something from us. He had deliberately misled us in regard to his relations with the brokerage concern, relying on the business man's natural inclination to protect his client. Then there was the mystery of the money—whence had it come and what had he meant by saying he expected to get his hands on a modest fortune? Also, I noted with satisfaction the possibilities of Edwin's remark to the colored boy. This was the sort of clue my chief loved. He would turn it over and over in his mind, until he had extracted a pregnant meaning from it. I did not realize, then, that I had another excellent lead for John Patrick—one worth more than all the rest put together, one which was to furnish us with the key to Edwin's movements. However, I had duly recorded in my notebook, "Lad says he found silver vanity case in the car and gave it to Edwin. E. tipped him a half dollar."

Then, since it was going on towards five-thirty, I drove to Miner's Cafe, finding it a neat and clean eating place. I was a trifle early for my engagement, but Miss Catherine made her appearance with surprising promptness. She was a shortish girl, rather plump, with a nice open face and an air of country breeding only thinly overlaid with a slight sophistication. As soon as she was seated, I inquired as to her preferences and ordered a supper with diligent deference to her somewhat astonishing tastes. By this time, she was rather excited and obviously pleased at the prospect of our proposed discussion. It was not difficult to account to her for my interest in Edwin; she took it for granted that every one got the same thrill she did out of contact with a person so recently celebrated in the newspapers. I knew she had talked over the mystery with her friends and honestly regretted her absence from the post of duty on the fateful afternoon, as much for the lost opportunity of testifying at the inquest as out of any regard for Edwin. I gathered from her that the troopers had taken her sister over to the Coroner's court without attaching much importance to the ultimate identification.

"You see," she told me, "Mr. Lester, who was in town that afternoon—he is one of the troopers, you know—saw Mr. Evans' car out in back of the movie and knew he was there all right."

"Well, why on earth didn't he say so?" I asked in astonishment. If Edwin's car was in back of the theater all afternoon, Edwin was probably inside after all, and our whole theory was knocked into a cocked hat.

"Oh," the girl blushed, "I wouldn't tell anybody but you this, Mr. Williams, but you seem so understanding, truly you do. It was this way; Mr. Lester was supposed to be patrolling the road between here and Havre de Grace, but well—it was raining and they didn't really need any one on the road then—honest, it is awful the way the people expect cops to keep riding up and down these little country roads, when goodness knows they'd never need them if they'd just drive along and mind their own business. Where was I? Oh, my sister came down so I could get off; it isn't often that Mr. Lester and I can get off at the same time, with me working nights and all, so we went across the street to the garage and stayed there until after five o'clock. The car was still there when we left, but I didn't think Mr. Lester ought to say so for fear he'd get into trouble. I was sure my sister would remember Mr. Evans when she saw him. I told her all about him and it did seem to me she could recall him to mind when I asked her to. Wasn't it nice, it didn't make any difference after all?"

"Did you see Mr. Evans drive up?" I inquired weakly. This news was too much for me to assimilate all at once.

"No, I left the theater at three o'clock."

Well, it didn't make any difference; if the car was outside at five o'clock, Edwin couldn't be fifteen miles away committing a murder. But—"why not?" I asked myself. He might have taken another car. I knew that the gun he had turned over to the police for inspection had not fired the shot. If another gun, why not another car?

CHAPTER THIRTEEN

ALTHOUGH it was late when I returned to Bayside, I lost no time in presenting my notes to John Patrick. When we had been over the whole ground, he nodded a gratified approval.

"You did very much better than I expected, Bob, but I must warn you again that you have been entirely too reckless. That business in the restaurant was bad—and I don't begin to understand it. Perhaps it wasn't your fault, but you could have been more careful at the garage. Both the doorman and the boy saw your car, and that little import of yours would serve to identify you to any one curious enough to inquire. You are being foolhardy when you leave such a wide-open trail."

"You think we may alarm our quarry?" I asked, much pleased with the idea that we might be so close on his track.

"My concern is not wholly on that account," John Patrick replied gravely. "We are dealing with a murderer, a man so dangerous that only a fool would trifle with him. Remember, Bob, he is an outlaw, a murderer—and, well, you would be wise to carry a gun."

I laughed a trifle uneasily for, while I could not bring myself to share my chief's apprehension, his words carried conviction.

"I'll never carry a gun," I answered. "I can't forget how, when the police suspected me, the first thing they did was to look for my gun. What would they think now if I went to them for a permit?"

"They'd probably commend your judgment, if they knew what you have been up to." I shook my head decisively. "Well," sighed John Patrick, "if you won't, you won't, and that is all there is to it; but I hope you come to your senses before something happens to convince you of the necessity for more discretion."

I gave him my promise to be careful, although I secretly thought he was being unduly nervous. At the time I could not see the ghastly pattern actually before us, nor did I understand the devilish ingenuity of the killer.

John Patrick realized how far I was from the proper comprehension of the whole affair, but he dropped all mention of the subject and returned to the matter at hand, going on with his discussion of the report I had brought him.

"Now about Edwin's movements, you have unquestionably uncovered something important there. I rather doubt if he has been getting this extra money from his uncle, but the first thing to do is to make sure on that point. I'll look through Cyrus' personal checking account and, if necessary, I can go up to town and try my hand at eliciting information from the bank."

"What do you think of the curious time factor in Edwin's trading? He entered the market between the fifteenth and twentieth of every month and, if he lost then, he stayed away from the brokers until the like date the next month. Do you think he was consulting an astrologist or fortune-teller of some sort?"

John Patrick laughed heartily. "You are letting your imagination run away with you," he said. "No, I think we are about to disclose some very strange facts, but I doubt if it will be anything as bizarre as crystal-gazing. However, apropos of his methodical method of trading, I'll tell you something Miss Small confided to me. You know you did a whole lot better with her than I did, in spite of my confidence-inspiring white hair, but I did get this one thing she must have forgotten to mention to you. She said that when Edwin first began coming to the theater she noticed his visits were always between the fifteenth and twentieth of the month. So there are our mysterious dates again. She figured him as a traveling salesman who covered the territory on regular dates, but he himself told her who he was and recently, say for the past month or two, his visits have been irregular. Now what can you make out of that?"

I was very much excited. "Why, if there is any significance at all to the time element in his trading, then his flurries in the market must be connected definitely with his visits to the Crystal Palace, and we know—or at least we think we do—that these visits are in the nature of a blind for some activity he wishes to keep secret. Then it is bigger than we thought it was—he made use of this alibi before the afternoon Cyrus was killed."

"What are you going to do about the girl's story of his car being outside the Crystal Palace, when we are almost certain he himself was elsewhere?"

"I don't know," I said thoughtfully. "It may signify that we are on the wrong track altogether, or else it may mean he has another car."

John Patrick smiled slowly. "Once again I think you are underrating your opponent. Just where would you expect his car to be, when he is pretending to be at the movies? So there is your next job cut out for you—return to Belton tomorrow and start looking around in the alley-way back of the theater. Put yourself in Edwin's place—you want to go somewhere and you want to keep out of sight as much as possible—but remember, Bob, small towns have eyes and ears as well."

"Do you think his remark to the colored boy in the garage was significant?" I asked, my mind harking back to what I considered the most interesting information obtained in town.

"Like his remark about the modest fortune, it interests me as a psychological factor. I would like to know, for instance, if what he said to the urchin was a matter of action and reaction. Did the sight of the vanity case, or whatever it was, cause him to think of one particular girl and that girl, in turn, inspire him immediately to go to the movies. Is some such idea the basic clue of our plot? We don't dare say it is, for after all the remark may well have been one of those casual things you say when you hand out a tip. I'm inclined to distrust these psychological problems; most of them must be solved by painstaking logic, and then, of course, I am privileged to murmur in a superior way, 'Yes, yes, I could see it had to be thus-and-so, the psychology of the situation pointed unmistakably in that direction'."

"Of course, the girl and the cinema may have had some connection, in fact, had he actually gone to see the picture; but, as long as we have decided he wasn't there at all, I don't believe the vanity case has anything to do with it."

My chief was thoughtful. "I can't help but feeling, all the same, as if I would like to know the identity of the owner. Perhaps if we had seen the case we could have told something about her personality and tastes. Do you think you are experienced enough to look into a girl's compact and tell from the sort of powder she uses if she is a blonde or brunette?"

"It can't be done," I muttered gloomily, wincing as I thought of the amount of brilliant coloring adorning the little debutante I had escorted to the last Bachelor's Cotillion. "They all use the brightest paint and the whitest powder they can find, regardless of the complexion the good Lord granted them in the beginning."

"My, my!" exclaimed John Patrick, "a cynic and at your age, too. You are missing a lot in life. Now, we know there is a feminine influence and so whom would you pick as a candidate for Edwin's attentions? Edwin is up to something so mysterious that we can't afford to neglect such clues as come to our hand."

Then it dawned on me, the point my chief had been driving at. "Why, of course, Edwin hasn't been asked anywhere since the bank scandal. Not a hostess would have him on her list, and if some girl is going out with him, she either is not in our circle, or else her family is ignorant of her friendship with him."

"I thought you'd see pretty soon why I was so anxious to hear more about the mysterious compact. It can't be helped now, but do keep your eyes and ears open and see if we get any other trace of the lady. I like that clue very much."

I was now as eager as if I had thought of this idea all by myself, instead of having nearly missed it. That must be my next job: to find out something about the unknown.

The next morning my chief and I went down to breakfast together. As we entered the dining-room I had a strange feeling as if we were interrupting a scene in a play, coming on a stage where we did not belong at all. Tom was sitting at the head of the table, a deep angry scowl on his face. Charles was standing in front of the hearth, his back turned to the fire, and he was repeatedly tossing a small object up in the air and catching it in his palm. Our advent startled him; he missed his catch and stooped hastily to retrieve the object, whatever it was.

Tom was watching him intently. He gave a harsh laugh as he said, "Here are our two lawyers right now. How about getting the estate settled up so we can all of us get some ready money? Charles has been exhibiting his last cent and he almost lost it." He laughed again with a shaky sneer in his voice and I wondered what had upset him so.

Then I looked at Charles curiously, for the sharp ring made when the small piece of metal fell on the hearthstones had not sounded like money to me. John Patrick was replying to Tom's question smoothly enough, although I knew he was irritated.

"It is a case where haste makes waste, I'm afraid; if I sell off enough property to settle the legacies in cash right now, I'd be selling stuff worth three times what it will bring, and if I turn over securities to the full value of the legacies, I have to wait until I can inventory the whole estate. Surely, you see that, Tom? It is to your interest, as well as the boys'."

Tom removed a small packet of notes from his wallet and passed them over to Charles, who had in the meantime sat down at his place without even wishing us good-morning. "Sure, I see it all right," Tom admitted good-naturedly. "I am willing to be banker while I have the cash, but when I run out I fear you will have to do something."

"You don't want me to put securities on the market?" John Patrick asked in surprise.

Tom said nothing for a moment and then spoke in a serious tone. "If you don't mind, let's talk it over after breakfast. After all, the loss would be mine and mine alone, and I think the time has come for me to get busy about the details of the settlement myself. Suppose I come up to your study, at say ten this morning, and we can go into the matter and decide what securities we can best afford to sacrifice."

"Certainly," answered my chief stiffly. "I should not consider taking any such course without your authority and approval; furthermore, I feel it my duty to warn you against making any drastic move right now. And, by the way, Bob has some business to do for me this morning so, unless you wish it especially, he will not be present."

Tom shrugged his shoulders, not caring apparently whether I was to be there or not. So far as I was concerned, I was delighted to be excused from attendance at the financial discussion, since I realized that if Tom was going to press us for a settlement of the estate, it behooved us to find out as much as possible about the other matter while we still had the time and were in the most advantageous position to do so. I momentarily considered the wisdom of taking Tom into our confidence and explaining to him why we were delaying as we were, but, on thinking it over, I decided that any such course was distinctly up to my chief, and I believed he would be loath to adopt it save as a final resort. Tom's attitude since his acquittal was decidedly *laissez-faire* as regarded the apprehension of the criminal—at least it was in sharp contrast to the ardent desire for reprisal kindled in me by my mild brush with the police. The Master of Bayside gave me the impression that he would like to be left alone to enjoy his enviable prosperity and position, without the need of ferreting out the perpetrator of the crime which had so suddenly brought it about.

Mindful of John Patrick's warning to me about the necessity for discretion, I obtained Tom's permission to use one of the family cars, for I knew my own little English model was apt to attract attention wherever it went and to court remembrance. Besides, it was generally out of order, and I used that undeniable fact as the excuse for my request. I set out at once for Belton and, as soon as I was in the town, I circled the movie theater for five blocks in either direction, firmly implanting in my mind such landmarks as I noticed and stopping at secluded corners to make my notes when it became necessary. The theater stood on the corner of the main street, several blocks from where one would turn off to go to Bayside. The intersecting road passing alongside the building was a narrow country lane, which I knew extended for five miles or so, bordered by residences for approximately a quarter of that distance, and small farms from there out its length. The two exceptions to this rule were the two buildings across the street from the theater, a drugstore and the garage where Miss Small had done her courting.

Next to the theater and on the same side of the street, but separated from it by the narrow alley-way upon which the theater exit gave, and further protected by a high but dilapidated board fence, was an old building, formerly a blacksmith shop but now used, I judged, for storage purposes. This alley, being the object of my next research, I drove in a few feet, stopped my car, and made as if to light a cigarette. I soon saw that my feigned activity was an unnecessary precaution, since I was entirely safe from prying eyes. The corner of the Crystal Palace jutted out to form the emergency door; once past it in the alley between the theater and the board fence, I was safe. This then might well be the start of the hidden trail, whose existence John Patrick had so accurately prophesied. The alley came to a dead end about fifty feet beyond, being in truth no more than a rough courtyard behind the theater. The fence was broken down and afforded easy going, so I stepped through it and stood in what once must have been the pasture of some farm. In front of me, some paces off, was the blank wall of a large barn, nor could I have been seen from the street I had just left, by reason of the intervening blacksmith shop.

So far, so good; after a little searching and stumbling around, I was able to trace a fairly clear route, which, by the aid of hedges, old disused buildings and the like, afforded excellent opportunity for passage to one who wished to keep his whereabouts unknown. I walked on for probably a quarter of a mile, not counting my detours and false leads, when I came out upon a garden plot directly in back of a large house, which looked to be more modern and expensive than its neighbors. From this point one could gain access, without being seen, to the country highway which led from Belton to the small town where the inquest had been held.

I sighed with disappointment—I had found my route of march, but Edwin's objective was more mysterious than ever. He might get in a car at this very point where I was, he might intend to visit any of the farmhouses further out the road, or he might stop at any of the places accessible from the route I had just traversed. On my return trip I made note of such places as seemed good possibilities, and then I backed my car out and crossed the street to the druggist's.

There is no place in a small town where it is possible to garner as much information as the drugstore. Its proprietor not only dispenses drugs, advising the family what to take for such minor ailments as do not seem to merit the attention of the doctor, but likewise dispenses sodas to the young and old, thus making his shop a rendezvous for the life of the town. He knows them all, from the newest baby, whom he provides with teething rings, to the oldest grandparent, whose troubles he has heard with sympathetic ears for many years. Add to this, that he is making enough money to put him in the important citizen class, so he is a figure in both the social and political life of the town—well, there is very little going on that ever escapes his notice.

I walked in and leaned on the counter, ordering myself a drink. As I expected at this hour in the morning, the proprietor himself was serving at the soda fountain;

later on when school should be out, he would be assisted by several young boys.

"Nice town, this," I commented heartily. "You've been here quite a long time, haven't you?"

"Since the war," he replied, wiping off the marble counter with a wad of cheesecloth. "I was in Panama for two years then."

"Friendly sort of place, isn't it?" I inquired.

"Oh, yes," he answered, "I know most of the people around here very well."

"I've been driving about a bit, waiting for a friend to show up at the Inn," I explained mendaciously. "Tell me, who owns the garage across the street?"

Thus by easy stages I led him to talk about every one of the places I had marked down on my list as a likely spot for Edwin's visits, always supposing him to be using the route I had traced. When I left the affable druggist after giving him my opinion on the window decoration he was working up for an advertising contest, feeling that I had all the information possible to gather, I wrote down the facts he had given me and I realized the impossibility of combing through the list until we knew the nature of the business which led Edwin on his devious path. Doctor, lawyer, merchant, chief, all had their homes within easy reach of the road I had followed, but not a single shady character to give color to my suspicions.

I gave it up. All I could do now was to attempt to get on the track of the second car, which I more than half suspected must exist somewhere. But my luck was no better than it was in finding any trace of the girl. No one in Belton seemed to know anything of any further help to me; or, if they did, I could not get it out of them.

This seemed to be as far as I could go without the help of another consultation with my chief. I turned my car back to Bayside and hastened home to make my report. Great was my disappointment to find John Patrick out and no message left for me. He returned shortly before dinner, however, and I had time to tell him about the alley-way back of the theater and the places I had gone from it. His delight in my success in this respect made me feel better, when I had to confess it was the sum total of my positive results.

"Never mind, son, I think we have something else to work on."

He drew a small package out of his pocket and, unwrapping it, disclosed a lace handkerchief such as a woman might use in the evening.

"What on earth?" I inquired. I could see that it was brand-new, just as it had left the store.

John Patrick chuckled. "This is bait for the clue of the vanity case. You see, this noon, while you were gone, Edwin came in in a towering rage. It seems that he and his brother occupy a suite similar to this one and immediately above."

I nodded my comprehension. The house was arranged with a series of suites on the two top floors; the largest had been occupied by the late owner, and the one we now occupied had been used by Tom. When Bayside changed masters, Tom had installed himself in the master's suite, giving us this one. The other rooms on the floor were guest chambers with bath, but lacking the dressing-room. Edwin and Charles had continued to live in their joint quarters on the floor above, and I was not surprised to learn that there had been a dissension to this arrangement. It had not been exactly ideal, even when Cyrus ruled with iron hand.

"The quarrel arose because Edwin claimed that his brother had been prying into his things. Then Charles came out with the cool remark that Edwin's real pique was caused by Charles' discovery of the existence of his brother's inamorata. Edwin blew up completely, and from the conversation following, I am more sure than ever that the girl is the key to the mystery—or at least plays a major part in the drama."

"She might furnish a motive," I suggested slowly. "Perhaps he wishes to marry her and she is coyly hanging back, insisting on more money. At least, Edwin could not have brought a bride to live here as long as his uncle was alive and, until he died, there wasn't much of any place he could go. How are we going to find out where she lives?"

"Oh, a lady in the picture presents several fascinating possibilities. As to finding out where she lives, we are going to let Edwin show us—hence the handkerchief. Our first experiment will be to plant this obviously feminine appurtenance in his car, and see if he is good at returning lost articles."

"You think he will take it to her?" I queried. "What shall we do, follow him?"

"Would you take it back?" parried John Patrick, replying to the first part of my question. "If he is keeping steady company with her, as we used to call it, he'll be glad of an excuse to see her again. But as for our following him, no, it would be too dangerous. Of course, we can check his mileage to see how far he goes—we'll do it anyway, just as an extra precaution—but I think I know where he'll take the car."

"Where?" I asked, too bewildered to think clearly.

"To the Crystal Palace, of course."

"You think he goes through all this hocus-pocus to see a girl?"

"Just a girl, may be a pretty big factor in the mystery, Bob. At least, we can't afford to neglect her. Now since we expect him to go to the theater anyhow on the fifteenth of December, just as he has been doing for the past six months; if my hunch is a proper one, we don't have to wait until the fifteenth, and we get two opportunities to find out where he goes, instead of one. You see, Charles is nobody's fool and he knows something about this girl, although I don't think he knows who she is; but just that one little mention of her drove Edwin nearly crazy, especially the insinuation she lived near here. If it is true and she lives in or near Belton, then he uses the Crystal Palace as a means of getting to see her—well, what chance he was with her the afternoon his uncle was killed? Then, since she didn't come forward and say so, who is she and why the reticence?"

"I see," I exclaimed. "If he switched to another car at Belton, it was her car he used. Do you suppose my man at the restaurant is in this business?"

"It is certainly a possibility. Now for our plans. You slip out, the first chance you get, and plant the handkerchief in his car. No, don't put it in your pocket as it is; crumple it up a bit, and for heaven's sake remove the price tag. Then, once the handkerchief is in place, keep an eye on Edwin. When he has a chance to find it, wait until he leaves the house in his car; then go like mad in that toy of yours over to Belton and park it at the end of the passage-way on the country road and take care it cannot be seen. Wait there long enough to give the girl a chance to come down and meet Edwin with a car; I don't really believe she does, for that would presuppose a method of forewarning her when he was coming, and I don't think they are in communication at all. But wait long enough to eliminate the possibility and then get back as fast as you can to, say, a half-way point on the mysterious passage-way and await developments. What I hope will happen is, that you will see Edwin on his return from his rendezvous; but if you don't, provided you have taken your station in good season, then we have proved that he terminates his journey short of this point, and we have something to go on when he makes his scheduled trip, as it were, on the fifteenth, for we are going to trail him in good earnest."

I was so much excited by the prospect of my new mission that it was not until nearly bedtime I thought to ask John Patrick what the results of his conference with Tom had been. What he told me surprised me not a little, for Tom had insisted on my chief going into Baltimore to convert into cash at once a large parcel of securities, claiming that he felt the need of having ready money at hand. The amount to be converted, however, was large enough to cause delay and considerable worry to my chief, inasmuch as he could not understand the nature of this move.

"Was Tom with you when you got the handkerchief?" I asked.

"No. He left me to go see the D. A."

"The District Attorney?" I asked, sitting up suddenly. "Has Tom a theory he wants to put before the Prosecutor?"

"I don't know—he wasn't very communicative. He said he was going to ask them for his gun, but I noticed that he didn't have it with him when he joined me. At least, one can't hide a forty-five very easily."

Well, it didn't matter what had taken Tom to the D. A.'s office, I thought. I suspected we were close to the solution of the mystery and, although the exact details were still rather hazy in my mind, I didn't doubt my own ability to throw a blinding light on the nefarious trail of crime.

Later on, I succeeded in secreting the handkerchief in Edwin's car without much trouble. In fact, such caution as I exercised was quite superfluous, since the whole household from dinner on was absorbed in the quarrel between Charles and Edwin. It flared forth again, this time with no mention of the girl, and waxed so furious that Tom finally terminated it by allotting Edwin a room to himself on our floor. The latter wasted no time in taking advantage of the offer and, as I went to bed, the sounds of moving furniture made an obbligato to my thoughts.

CHAPTER FOURTEEN

IT COULD not have been much later than eleven o'clock when I turned out my bedroom light and crossed the floor to open my window before going to bed for the night. I noticed that a wind had risen until a veritable gale rushed against the house, shaking the windows and howling among the trees.

The sounds from above had ceased, but by the noise of scraping furniture proceeding from Edwin's new quarters on our floor, I judged that Edwin was busy settling himself in his room. Tom's footsteps sounded along the hall, as he took himself to bed, and just before I fell asleep I heard James' characteristic shuffle going down the stairs. Edwin had completed his moving and had dismissed the butler for the night.

How long I slept I do not know, but apparently I had drifted from the first stages of deep slumber into a more restless sleep, when I became dimly aware that something was wrong. I lay in bed a few moments, waiting for more complete wakefulness, conscious of something, I knew not what, urging me to rouse myself. The gale outside had died down somewhat, but occasionally the window-frames rattled as if some lonesome ghost of the night-wind sought entrance. The room was inky black, so dark that my eyes, accustomed as they were to the absence of light, could make no more than vague ominous forms out of the familiar furniture. Then out of the sound of the wind came a single stealthy footfall. I could not locate the direction from which it came, but it signaled that another besides myself was awake in this strange household. Oppressed by the shadow of mystery which Cyrus' death had cast over Bayside and stirred by the grim warnings John Patrick had let fall, I rose cautiously, donned my bathrobe and slippers, and reached the door leading into the study. As I opened it, it gave out a mournful creak that acted on my overwrought nerves like the crack of a pistol. A silent figure blocked my path, but before I could do more than spring backward an arm caught me and my chief's voice whispered in my ear, "You've done it now, lad, I'm afraid. Keep absolutely quiet for a second."

A deathly stillness settled down on the old house. Then it trembled, shaken by a gust of wind—the gale was rising again. Simultaneously with the howl of the wind, a faint creaking noise came again to my ears; I thought it came from the floor above, from the bedroom immediately above John Patrick's. Then a crash of glass, the report of a pistol, and pandemonium broke loose. My chief and I ran together for the stairs, intending to go up to Charles' room. Just as we passed Edwin's new quarters, the door to which stood ajar, I heard a loud voice behind me say, "This way, somebody, this way!"

"Go on, Bob!" panted Mr. Vaile. "They have the fellow outside; I'll go up to Charles' room and see what damage was done."

I retraced my steps past my own doorway and past the entrance to the Master's suite, until I came to the rear stairway. There I found Edwin, slightly out of breath, peering down.

"Got a flashlight?" he asked. "We'll break our necks in the dark."

For an answer, I reached up and pressed the wall button, flooding the flight of stairs and the hallway with light.

"I'll be damned," said Edwin, peering down. "I heard everybody running around in the dark and thought the lights were off at the switch; never occurred to me to try them."

"Come on, let's go down," I suggested.

"No use," came a disgusted voice from below. "Lord, you fellows are slow."

We looked down to see Tom coming up, a flashlight in hand. "Well, he got away. I saw him streaking off into the woods, but I don't know yet what happened, do you?"

We all three looked at one another. "I think there must have been some one in Charles' room," I volunteered. "The first sounds I heard of the disturbance came from there."

"They would," said Edwin in disgust; while Tom spoke briefly: "Let's go up and see what the damage was." We went on up the rear staircase and found Charles and John Patrick sitting in the dressing-room as calmly as if nothing had ever happened.

"What is all this about?" Tom demanded.

Charles turned to him and said in an icy voice, "I was awakened by a door slamming some place. Then, as I thought I heard a noise out here, I got out of bed to investigate, but the beggar was too sharp for me. He must have heard me get up, for he dropped the drawer of the desk and beat it out through the window. I leaned out and fired, but it was so infernally dark I couldn't see anything. The only thing I had to orient myself by was the crash of the window."

"Quaint family custom we seem to have, firing at intruders and missing them," put in Edwin acidly. "It must be my turn next. Keep out of my way, all of you, the family luck might run out and I might actually hit my man. Did you see this bird, too, Tom?"

But when Edwin put it in this fashion, Tom was loath to commit himself. "Darned if I know what to say. The shot woke me up, I think, and I heard some one, or something, outside. I ran downstairs and called to you all, but you were too slow. There was a patch of something dark moving around, but I wouldn't swear it wasn't just a shadow cast by the clouds. It's the darkest night I believe I ever saw."

"Tom disclaims all responsibility for this tramp, Charles," Edwin remarked. "The honor is all yours. Did he get anything, by the way?"

No one answered for a moment and then John Patrick said, "Charles tells me there was money in this desk drawer, and it is gone now. Also, the thief went through his clothes, but the contents of the pockets were left scattered on the floor."

I walked over to the broken window. A stout trellis, covered by ivy, ran from the ground to the roof, passing within six inches of the casement. I reflected uncomfortably that this same vine might likewise afford entrance to our study on the floor below.

"He got in and out this way, all right," I said, satisfied with the results of my survey. "The vine is all trampled down—a trellis has always seemed to me a veritable invitation to thieves."

John Patrick rose. "I'm going to look around the grounds a bit, if you don't mind. May I take your flashlight, Tom?"

"I'll go with you," Tom replied courteously. "I think I can dig up another light downstairs."

I followed along, leaving the two brothers alone in the suite they had occupied jointly until tonight.

"I wonder how the window got smashed?" I queried idly as we walked out, but I got no response.

We found two more searchlights downstairs and went outdoors. If John Patrick had hoped to find any footprints, he reckoned without the weather, for the ground was wind-swept hard and dry. Only the broken vines along the trellis bore witness to the passing of some one not long before.

There didn't seem to be much of importance to be seen out here, so I was wandering aimlessly about forty feet from the house, shivering in the cold of the night, when the beams of my flashlight fell on a strange object. As I came closer to pick it up, I saw that it was a large roll of bills, held together with an elastic. I gave a shout and when the others came running to me, I exhibited my find.

"The money Charles lost," John Patrick said quickly. "I imagine the thief dropped it in the darkness and Tom's flashlight frightened him away before he could recover it. Let's take it back to its owner and see if the find doesn't cheer him up a bit."

The three of us climbed the rear stairs for a second time that night. Edwin had departed, but Charles was sitting just as we had left him with his gun in his hand. We gave him the money, telling him of the circumstances of its recovery, but his face never moved a muscle.

"Thank you," he said to me, with more dignity than I had ever seen him manifest before. "I am going to stand guard the rest of the night. The doors to the two bedrooms going into the hall are locked, and the only other door into this room I shall lock after you are gone; thus, I shall be able to guard against the return of any intruder with this—" motioning significantly to his forty-five.

We wished him a sober good-night and went to our respective rooms to finish out what was left of the night. I wanted to talk over the recent happenings with my chief, but as soon as we entered our study, he fairly pushed me into my room, muttering in my ear, "Go to bed now, I'll be with you early in the morning." Then he said aloud, "Good-night, my boy."

Somewhat mystified, I turned in, unable at once to get to sleep. Where did this burglary fit into the scheme of things? Was it an isolated event, entirely unrelated to anything that had gone before? How had the enormous roll of bills come into Charles' possession? I recalled vaguely having heard how bootleggers always had a large sum of money at hand to use in their business dealings. Was the burglary connected with Charles' somewhat shadowy transactions—hi-jacking, was that what it was called?

Then a fresh idea came to me. Only the members of the immediate family knew that Charles was now the sole inhabitant of the suite above. Until a late hour tonight, Edwin's possessions had likewise occupied part of the room which had been entered. Was the mysterious something which linked Edwin with the mysterious lady the object of the search? If so, what was the intruder looking for, and had he found it? On the other hand, it was Charles' money which had been stolen, Charles' clothes which were gone through, thus making it entirely possible that it was a simple theft. In that case, why had the burglar passed our window and climbed a story higher before he plied his craft?

Eventually, I must have drifted off to sleep, for it seemed as if I had just closed my eyes when I wakened to find John Patrick sitting on my bed, shaking my shoulder and regarding me in an amused fashion.

"My soul, Bob," he said with a smile, "You are a difficult person to awaken. Here," passing me his cigarette case, "are you sufficiently demoralized to have a smoke before breakfast?"

It really wasn't my custom to have a cigarette before I cleaned my teeth, but I accepted one nevertheless and waited while he held a light for me.

"I didn't want to talk to you last night," he began. "The whole household was awake and I didn't know who might flatter us by listening to see if we demonstrated our suspicious natures by discussing the affair. However, I think we are safe enough now, since it will be at least an hour before any one is up for breakfast. Bob," he proceeded very gravely, "you have got to get it into your head that we are dealing with a dangerous man. We don't know his identity and, until we do, we can't trust any one. Don't try to see too much and, above all, don't ask questions unless you and I are alone."

"I didn't, did I?" I asked, meekly.

"Oh, yes you did. You asked about the window; you wondered how it got broken."

"Why, we were alone, except for the family," I said in surprise. "The person who broke the window must have been miles away by that time."

John Patrick regarded me gravely. "I wish I thought so," he said in a dry tone. "Bob, you have the unfortunate trait of believing exactly what you are supposed to. Just remember, please, in the future, don't talk unless you are in our own suite and you are sure we cannot be overheard."

I promised to be careful. "But what about the window?" I wanted to know.

John Patrick drew an object from the pocket of his dressing gown. He unwrapped the stained handkerchief covering it and held it out gingerly. It was an ink bottle, which had lost its cork. The mouth of the bottle was cracked and the ink all gone, although the stained handkerchief testified to the recency of its disappearance.

"Here is the object that broke the window," he said. "I noticed there was no ink on Charles' desk, and the broken window seemed so pointless to me that I half suspected where I would find the inkwell. I picked it up outdoors when you and Tom were concentrating on the money."

"Why do you say the broken window was so pointless?" I asked.

"Well, if the intruder made his entrance by the window—and the trampled vines prove he did—why should he break the window before going out? Ergo, he didn't go out the same way he came in, but he wanted Charles, who rushed into the room just then, to think he did. Remember, the night was exceedingly dark and Charles was barely awake. The scheme worked and the burglar, under cover of the noise, slipped into the bedroom formerly occupied by Edwin, ran out into the hall and along the passage to the back stairs and down that way."

"He couldn't have been more than a few steps ahead of Tom," I cried in excitement.

My chief looked at me peculiarly. "He might have been a few steps behind Tom," he suggested.

"Edwin?" I said with surprise in my voice, thinking of the scene at the head of the stairway when I arrived. "But Edwin didn't have time to get outdoors and back up the stairs again. You forget that the money was lost outside the house."

"The money was a blind of the most obvious sort," retorted my chief. "I don't know what was the object of the search, but I am sure the roll of bills was purely incidental. Here is what I think happened; the thief came up the trellis and opened the window—Charles said, by the way, that he never looked at the catch, didn't know whether it was fastened or not. I heard the footsteps overhead, so I know the man was already at work when your door creaked. The thief kept quiet a few minutes until he heard Charles get up, and then he knew he would have to get out. He grabbed the money, dropping the drawer by accident or design, it doesn't matter which, threw the inkwell at the window, and vanished through the door opposite to the one Charles was at that moment coming through."

"Do you really think it was something of Charles' he wanted?" I suggested. "He may not have known that Edwin had moved out." Waiting a second for a reply, I put forth the theory I had evolved the night before.

"Possible," John Patrick nodded his head. "However, every one in the house knew that Edwin had moved downstairs; even the servants were aware of it; so on your reckoning it would have to be an outside job."

"No," I said, triumphantly, "there is one other solution we have overlooked. It might have been Edwin, himself. Perhaps he deliberately fomented the quarrel with Charles in order to get a separate room; then he ransacked his brother's quarters, hoping we would think it was an outsider."

Vaile smiled. "I don't think you are clear in your own mind as to whether the raid was staged by some one in the house or not. I'll give you one more idea. Would Charles, for some inscrutable purpose of his own, deliberately plan the whole thing himself?"

Perceiving that my chief was serious, I revolved the idea in my mind carefully before replying. "The clue to the identity of the thief rests in the identity of the object sought," I concluded astutely.

John Patrick flashed me a glance of approval. "And what might be the nature of the object sought?" he inquired in the manner of a schoolmaster drilling his pupil.

I had no answer ready, so I countered swiftly, "What do you think it is?"

My chief answered me after a silence, and when he spoke it was in a hushed voice as if he were speculating aloud, careless of whether or not I paid any attention. "Yes, I have a nebulous idea, but it is so bizarre, so cruel and above all so hazy as to details, I cannot put it into words yet. It would be terrible if I were wrong—unspeakably terrible if I were right."

"Do you think that the burglary is connected with the murder?" I asked when I perceived that he would say no more.

He looked very grave. "Until the murder is solved, I'll connect every untoward event in this house with the death of Cyrus Evans. I don't mean that the murderer necessarily attempted the burglary—I can't go so far as that yet—but I do think the attempt grew out of, or was necessitated by, the murder. You notice I say attempted, for I feel sure that you raised the alarm too swiftly for the thief to have been successful. Along the same line of reasoning, I think it will be repeated. Possibly the thing the thief wants is not in Charles' possession at all; therefore, it behooves us all to watch out,—we may be favored next."

"Sort of a case of the murderer returning to the scene of his crime?" I asked.

John Patrick raised his head in surprise. "No, the scene of the crime doesn't seem to figure in this at all, does it? At least, I haven't noticed any activity down by the dock. Yet, fundamentally your phraseology is correct; although, to speak absolutely accurately, I think you should say that the murderer has never left the scene of his crime, if you broaden the statement to mean Bayside itself. He is still here, watching, waiting, and for what? I'd give a great deal to know." He paused a moment and looked at me uncertainly. "There is a queer thing now. I found it in your notes for, of course, it happened before I came back; you remember, I think it was the evening before the inquest, when Tom told Edwin he would turn them out of Bayside? He hasn't done so, nor have they made any attempt to leave."

"They probably can't until we settle the estate," I objected.

"No, I think they could at least get rooms in town. They both seem to be extraordinarily flush with money. Lately, even Edwin has given up hounding us to get the work done. They are all three sitting pat, as if something else were about to happen, as if last night were only one manifestation of the undercurrent of fear and mystery around Bayside."

As my chief rose to go, I asked another question. "Do you think Charles knows what the intruder was after last night?"

A pitying look was my answer. "Good heavens, didn't you catch the significance of his remark about remaining locked in and armed, waiting the return of his visitor? That's why I am disinclined to the idea that Charles staged the whole show himself. Of course, as an armed display, it might have been very effective, but, even in that case, he has something or knows of something some one else wants—and wants badly."

John Patrick departed, leaving me to reflect on the substance of our conversation. There was still an air of unreality about our undertaking, our attempt to spot the murderer. Although I knew that John Patrick never considered for a moment the possibility of any one outside the immediate household participating in the crime, I was not so sure. The police, I presumed, were off chasing down some clue of their own, hoping to prove the identity of the tramp who had appeared once to Tom and, quite possibly, once again last night, this time visiting Charles. Perhaps I have not the singleness of purpose of my chief, for I could see a dozen potential leads along this line. For one thing, Edwin had once suggested that Tom knew the identity of the visitor—in that case, how far would Tom go to protect the reputation of some one else? If that some one else were a member of the family, I thought he would go a long way. He was very like his father and, certainly, Cyrus had moved heaven and earth to protect his nephews when he really didn't care a snap of his fingers for them. This brought me to a consideration of Charles' bootlegging activities and some of his dubious friends. I was too sleepy to reason it out, but I did not feel that last night's adventure was at all conclusive in itself. For one thing, the mystery of Edwin's behavior was uppermost in my mind. He did not appear to be involved in the latest development, but I had learned to distrust appearances so far as he was concerned.

CHAPTER FIFTEEN

I DOZED off again after John Patrick had left me and did not re-awaken until late in the morning. When I finally went downstairs to search for a cup of coffee, I found the house as quiet and well-ordered as if last night's excitement had never been. I was not more than half-way through my breakfast when I heard a car coming along the drive, from the garage. Coffee-cup in hand, trusting that I presented an appearance of complete nonchalance, I stood at the window long enough to see Edwin's blue Chrysler flash by, its owner at the wheel. Then I dashed up the stairs two at a time to inform my chief and ask for instructions.

"Shall I go to Belton now?" I inquired after reporting.

John Patrick smiled. "No, you have touched upon the weak spot of our scheme—we can work only after dark; but I think the same handicap applies to our quarry. The short autumn afternoons lend themselves admirably to his purpose—and to ours. So I should say, along about four o'clock will be ample time for you to depart."

I sat down and cast about for some means of keeping the conversation going. The idea of settling down to our prosaic tasks and keeping at them all day made absolutely no appeal to me.

"Have the police been informed as to what happened here last night?" I inquired.

"No. Charles says it was his show and he doesn't want the troopers called in. Tom acquiesced readily enough—I think he hates the thought of Bayside being subjected to the white light of further investigations." And my chief's eyes twinkled as they contemplated my idleness. "Come on, let's get started on Cyrus' personal checking account. Such work is pertinent to your line of endeavor and won't bore you as much as some other, perhaps. Besides, it has to be done."

I went to the desk and brought out a ledger and four huge bundles of cancelled checks. I was calling out the numbers and my chief was comparing them with the entries, when a knock sounded on the door. Without waiting for permission, Charles walked in and, when I looked at him, I betrayed my surprise at what I saw by an involuntary start. He wore an old khaki shirt and trousers and carried a short mackinaw over his arm. But what had startled me was the pistol holster strapped to his shoulder, the blue black butt of its tenant shining with a sinister gleam.

He strode over to the desk and threw a small key down on the surface. Then he came to the point at once.

"Mr. Vaile, I figure you are in charge here, so please take care of this key for me. I'm going out on the cruiser for several days and I have locked my room up to avoid a repetition of last night. This is the key for the door I came out of—everything else is locked from the inside."

John Patrick looked at the boy keenly for a minute. "How about the window?"

Charles nodded. "Furniture pulled up in front of it. If any one tries the window again, they may be able to get in, but they'll rouse the whole place. I'm not holding you responsible for anything, you know, I'd just sort of like to leave the key with some one I can trust."

Not a muscle in my chief's face moved. His voice was kind, but his eyes carefully veiled. Yet his words were soft and very gentle. "Would you care to tell me, Charles, the precise nature of the object I am to guard?"

There was a long moment of silence. I thought Charles was going to lower his mask and give us his confidence, but I was mistaken. He finally said very quietly, "I keep nothing of value in my room."

John Patrick nodded as if satisfied. Then Charles took his departure as quietly as he had entered. He had the Indian trick of moving on noiseless feet. As soon as the door closed behind him, I breathed a deep sigh. When Charles left, the supercharged atmosphere lightened somewhat, as if he had lessened the tension by removing his person, but the effect of the surprising interview lingered on.

My chief was toying with the key in his hand. "Most illuminating talk, that," he said. "You know, one or two pieces of the puzzle are falling into shape, but I must admit some of them seem farther from fitting than ever."

"It didn't seem very illuminating to me," I objected. "I thought for a second that Charles was going to confide in us, but when he didn't he left me as much at sea as ever."

"He did confide in us. Why should he have given us the key at all? Why didn't he take it with him? One answer is, he can't trust his associates. He is up against something he hasn't quite figured out, upset by something bigger than he expected it to be. Yet, through it all, he turns to us. Well, perhaps it is unethical, an abuse of trust, but I am going to use this key."

"You are going to do what?" I asked in astonishment.

"I am going through Charles' rooms," explained my chief. "Call it an old man's curiosity, if you will, but I rather think it may be a good idea."

"What do you expect to find?" I queried.

"Probably nothing," answered Vaile cheerfully. "I believe Charles told the absolute truth when he said that there was nothing of value in his rooms. But there was last night, or some one believed there was. Then, if they were looking for a large object—where did Charles put it, always supposing he really had it?"

"Why limit yourself to large objects?" I pointed out. "You might as well say, where did he put a small one?"

"Easy. He has it on his person," my chief retorted quickly.

It was not until after lunch that we had an opportunity to go upstairs. We were alone in the house, Tom having gone up to town immediately after the meal, and Edwin being still absent. Tom, by the way, was resuming his legal practice and many people were remarking on the decided change in the type of his clientele. It was as if his experience on the wrong side of the prisoner's dock had dampened his ardor for criminal practice. His feet, now, were firmly set on what among my lighter-minded brethren is known as the path to the judge's seat.

I suppressed a smile at the thought, as I climbed the stair in the wake of my unconventional chief. As long as I followed the example he had been setting me of late, there was small danger of my colleagues accusing me of tempering my actions to gain a seat on the bench.

The key Charles had left us fitted the middle room of the suite, the one we, on the floor below, used as a study. We went in and found the room in wild disorder. Furniture was piled up against the broken window, trash, hastily swept out of the desk drawers, was on the floor, and gray ashes in the grate bore testimony to the burning of some papers.

With a low cry, John Patrick rushed to the door of the room Charles had been sleeping in. He tried the knob; it was locked, but I spied a bunch of keys on the mantelpiece and these I handed to him. He opened the door and hurried over to the bureau and pulled open the drawers, one after another.

"It's all right," he said, turning to me, "Charles' personal belongings are still here. I was afraid I had spoken too hastily when I said that it was odd none of our friends had attempted to leave Bayside. It would be a grave error to let Charles get away, an irremediable error."

"He'd come back," I remarked cynically. "Has it occurred to you that, if Edwin is guilty of Cyrus' murder, his share of the estate goes to his brother?"

John Patrick looked at me strangely. "Perhaps he couldn't come back. There is more in this than we have realized, Bob. I haven't lived sixty odd years without knowing the hallmark fear imprints on the face of a human being. That is really why I want to search this suite. Right now, I'm not half as interested in knowing what was in here last night as I am in finding out just what is going on around us today."

I gazed down at the keys I had found on the mantel, the ones John Patrick had used to open the door of the bedroom. "It almost seems as if he expected us to come in here."

"I have had the same uncomfortable feeling for the past five minutes," confessed my chief. "That's bad, for it means he knows we are up to something. But it's too late for discretion now; I'm going ahead with my search and hope I haven't led us both into a trap."

"Why couldn't he leave whatever he wanted us to find in plain sight?" I asked angrily. I was impatient with Charles' devious scheming and, if the truth be told, not a little anxious to get out of his suite.

"We are expected to find nothing, I think," said Vaile soberly, "and we are to draw our own conclusions from the negative result. But I hope to defeat this amiable idea."

Our search was methodical and inclusive. I even experimented with the drains in the bathroom to ascertain if anything were concealed in them. At the end of an hour, we were no farther forward and we had been over every inch of the suite. However, so thorough was our search that John Patrick, who had spied some few books on Charles' desk, picked them up one by one, turning their leaves with care. From the last one there fluttered a dirty scrap of paper. My chief immediately seized it and, after scrutinizing it, held it out for me to see. On it were penciled the words, "Load in 11/10/32. Your share same place 5 o'clock sharp."

"Come on, Bob," John Patrick said. "Our last cast brought us in a small fish. Let's take it downstairs with us."

We locked up carefully and, with a sigh of relief, I found myself safe in our study. "What do you think this means?" I asked, gesturing with the paper which I now held.

"I think it is the paper which makes the appointment Charles was keeping when his uncle was killed." John Patrick's face wore a slightly triumphant smile. "He probably never knew that he had thrust it in where we found it. At any rate, it raises the question in my mind at once—just where is the place referred to? The note sounds as if Charles' share was in payment for the use of the place—in which case, is Charles actually daring to run liquor in at Bayside?"

"It certainly proves that Charles is really engaged in bootlegging," I observed. "Then why on earth is he so sensitive about it?"

My chief smacked his fist down on the table in front of him. "You've got it, boy, that's the crux of the whole affair. Charles isn't one of the big shots of the trade—he's one of the errand boys. The 'your share' referred to in the notes probably means a few cases that he gets for disposal among his friends when he acts as minor rum-runner and go-between for the real bootleggers. Perhaps he even has a few choice customers among people in his own set, but all that he, himself, can lay claim to is being an amateur among professionals. If I know Charles at all, such a status must irk him not a little. No, sir, I am beginning to see this in a new light and I'll wager any amount of money that the liquor cache, where Charles admits he was at the time when his uncle was killed, is right here on the estate."

"I don't see how you figure that," I said. "But, if it is true, it seems to me we could find it by searching along the beach."

"You forget that it is probably empty right now and we might not know what it was if we did stumble across it. But, as to how I figured it out—I merely tried to see in what way a green youth could make himself valuable to a professional bootlegger. This is the way I read the story; Charles takes the cruiser down to the mouth of the Chesapeake, where he, in common with perhaps a score of pleasure boats, hangs around until the real rum-boat comes up to unload. Then he and perhaps one or more of the little boats unload their cargo around here and later it is picked up by trucks for delivery. If Charles' pay is a few cases of liquor, then the method is as cheap as it is safe, for no Coast Guard boat is going to intercept a small private cruiser on its run up the Bay."

I was thinking very hard now. "Suppose Charles was on the estate at five o'clock, or even before, when his uncle was killed,—was he alone? How did he get John Smith to testify for him?"

My chief grinned "You prove the existence of the cache first, and then I think I can answer that question for you."

"I can forget about Edwin then?" I asked.

"Oh, Lord, no!" John Patrick groaned. "Edwin had slipped my mind entirely, but we mustn't neglect him. Charles has insinuated himself into things before we were ready to consider him at all. Right now, we have so many suspicious persons to investigate that, if this keeps up, we'll have to swear in some deputies. Get in your car and go over to Belton right now. It will be dark in an hour, or less, and he may have found the handkerchief and attempt to return it this afternoon. I can't go with you, but I'll tell you just what to do. Remember this is a trial trip, just a confirmation of our hypothesis. Get a seat in the Crystal Palace where you can watch people as they come in. If you see Edwin, wait until he goes out the side door, then skip out into your car—only for Heaven's sake, don't park it where he can see it—and head straight for the intersection of the country roads; there is the logical place for a car to pick him up if there is going to be a car in this picture at all. You'll have plenty of time to get to it without being observed, if you drive fast enough. Wait there until you are sure you have eliminated the possibility of some one meeting him, and then head back for some point of vantage on the pathway. Remember, you are not to trail him this time, just see if you can spot him on his return trip. If you do, it gives us that much territory we don't have to cover when we actually follow him on his next visit. Also, keep your eye on your watch; he'll be back here for dinner, so don't wait after seven-fifteen yourself."

I obeyed my instructions, finding myself at the Crystal Palace in no time. I took a seat in the back row, close to the main entrance, so I could observe the face of each newcomer, and there I waited. In the course of the next half hour, there were but few people coming in and I was growing weary of my task, when with a sudden thrill I saw Edwin entering from the brightly lighted foyer. Instinctively I drew back into the shadows of my seat for concealment, keeping my eyes glued on the dark figure proceeding without hesitation down the side aisle and out the side entrance. As soon as the door closed behind him, I was on my feet and after him. At the door, caution overtook me and I paused a few seconds to give my quarry a sufficient start, lest I come upon him too suddenly and defeat my main object before I had a chance to get really started.

Then I pushed open the door and went out. It was already dark outside. I ran across the street to the garage, which had afforded the double advantage of easy concealment and ready access to my car, and in less than five minutes after Edwin had entered the theater I was on my way to the crossroad where I was expected to take up my watch. On my way out of the side exit, I noticed the Chrysler still parked beside the curb—everything was going according to expectations.

When I reached the spot appointed for my post of observation, not another car was in sight. This was a lonely part of the road, seldom used save by those whose business took them to a farmhouse along the way, since the main traffic between the towns was carried on a concrete highway to the west. I expected to find mine the only car traversing the dirt road, unless the motor destined to afford refuge to my quarry should materialize. Therefore, when once I saw the road was clear, I lost no time in hiding myself, lest I should alarm any watchers and so frustrate my plans as well as theirs. I turned off the by-way into a wooded field, fortunately unfenced, and secreted my car in the underbrush, leaving a clear view for myself once my suspicions should be aroused by the sound of a motor.

There I sat, my tiny coupe hidden by the bushes, enjoying the sights and sounds of the clear December night, gazing up out of the side windows at the pale frosty stars so high above the tree-tops. Once I stiffened to attention, as the headlights of a car swept the road, but when the auto rushed by at undiminished speed, I sank back to continue the, by-no-means, unenjoyable vigil. I was dreaming idly, rather liking the cool crispness of the air, the pleasant silence of the early evening, when I came to myself with a start and glanced at my wrist-watch—six-fifteen, forty minutes since I had left the theater. I had idled far too long waiting for Edwin's hypothetical associates, who all too clearly did not purpose to pick him up in a car. I drove out of the woods, cursing myself for my negligence, for now my luck must be good indeed to get back to the path before Edwin returned.

Parking a block from the garage, I hurried down the street. It was supper hour in most of the houses I passed, and the clear squares of light from the unshaded windows speckled the walks along which I sprinted. Catching glimpses of the people within sitting down to their prosaic family meal, gave me an odd feeling of unreality. Here was I, life on either hand going normally on its everyday trends, yet I, a respectable and I hope respected, young lawyer, running madly through a peaceful village, spying on one whom I suspected of being a ruthless killer. My heart pounded, the blood raced in my veins, and my spine prickled with a delicious joy. I had cut free from the commonplace and was bound on a quest of mystery and excitement.

To my great delight, I saw, when I came close enough, that the Chrysler had not been moved. Then Edwin was still about his mysterious business. Moving cautiously, I hurried down the alley-way and climbed through the board fence. From here on I must proceed with care and as much silence as I could manage. I had the added disadvantage of having traversed the trail but once and that in the daylight.

I had not quite reached what I had mentally picked as the half-way point, when I heard a twig snap not twenty feet away. The night was too dark for me to see clearly, but I stepped off the path and crouched motionless in the grass. A form flitted past silently and I marked my surroundings well, for I was sure the newcomer was Edwin and, therefore, I had succeeded in my object.

Waiting long enough to give him time to get back to his car, I returned and regained my own. As I drove past the Crystal Palace I saw no sign of him, and I realized that his car would make far better time back to Bayside than mine and, since he had remained beyond the time which would put him back before the dinner hour, I was going to be very late indeed.

It was rather a negative triumph I savored as I rode along. I had actually proved our hypothesis; Edwin did leave the theater and go along that curious pathway just as we had surmised. I knew, likewise, that, tonight at least, no roving car had picked him up; but where he had been or what he had done, I was no closer to guessing than before.

As I had expected, Edwin had joined Tom and my chief at dinner sometime before I arrived. I stole a glance at him as I sat down; his glowering ill-humor was so apparent that I became uneasy. Had he guessed our interest in his affairs? Murderer, or no, Edwin would be an unpleasant customer to deal with, once aroused to anger by what would seem to him unwarranted interference in his business.

I made a smooth apology to Tom for my lateness. On the way over from Belton, I had decided that ready equivocation was my best policy, so I explained that my car had been in the garage for the best part of the afternoon, and the work had taken longer than I had expected. Then, if Edwin had by any chance observed the Henley, I could provide a glib explanation of my presence in Belton. My apology called forth no comment, however; Tom and I chatted for a few moments, while Edwin remained blackly silent, and John Patrick watched him like a cat.

Then Edwin reached in his pocket, suddenly whipping out a square of white linen. "Whose tomfoolery is this?" he growled. It was the handkerchief I had placed in his car. Fascinated, I nearly stretched out a hand for it, unconscious of what I was doing. But Edwin, staring at first one and then the other of us, seemed not to be aware of my error. He thrust the handkerchief away, growling, "Probably one of my charming brother's tricks."

John Patrick spoke in the casual, soothing tone that so often effected results when inquisitiveness or bullying slammed the door on information. "Anything special about a pretty handkerchief to disturb you so much?"

"Plenty," growled Edwin, "I've got enough on my mind right now, without being worried by a fool trick. If I ever find out that it was anything but a trick—" he let the threat remain unnamed.

During this interchange Tom said not a word, merely glancing at Edwin in slight scorn. Now he spoke, "We are all getting too edgy. I think Charles was right in going away for a few days. Edwin, why don't you go off for the holidays and get a little rest?"

"Do you mean by that, you'll advance me the money to go?" Edwin sneered.

"Willingly," Tom answered coolly. "If I had the money at hand, I'd advance you your share of the estate. Unfortunately, I haven't the resources, and Mr. Vaile doesn't consider it wise to pay off the legacies until the main body of the estate is cleared up."

"We've gone into the question a million times," said Edwin in disgust. "No, I'm not to be bought off with a few hundred. I'll stay right here until the last penny of the estate is accounted for."

"I'll be glad to advance enough so you can get away for a while," persisted Tom.

"Thank you, no," Edwin responded decently enough. "It cannot be so much longer now and I have a hankering to stay on."

We rose from dinner and, on Tom's invitation, joined him in the living-room. As if he felt that the dinner table conversation had been too pointed, he politely expressed a feeling that John Patrick and I were working too steadily, and suggested that we should spend the evening in a more leisurely manner than had been our custom.

Edwin vanished promptly after the meal and, though I strained my ears, I heard no sounds of his car going out, so I presumed he remained somewhere in the house. At any rate, for some reason not clear to myself, I doubted that he would risk a second visit to the cinema the same day.

The evening passed quickly and will always remain in my mind as one of the few tranquil spots of our Bayside sojourn. With the removal of Charles' turbulent personality and the withdrawal of Edwin's gloomy self, we chatted away in peaceful equanimity. Not once was the subject of the murder touched upon, even by implication. We talked rather of hunting, of politics, of tobacco, of big things and little things that go to make up a stag convention.

It was late when we finally adjourned for the night, and I realized with a start of surprise that I had much to confide to my chief. As soon as we gained our room, I told him of my attendance at the Crystal Palace in the afternoon and its result, confirmative of our theory but disappointingly negative.

Vaile listened intently without interruption until I had finished my story. Then nodding his head, he said, "You have done all I expected could be done. We have eliminated the car and satisfied ourselves that Edwin's objective lies between two known points—in other words, somewhere in that area is the strange lady. Why he should be so desperately anxious to keep the matter a secret, why he should concoct such an elaborate alibi, still remains to be determined."

"I am not sure that a woman is in it," I objected. "He brought the handkerchief back with him and made no bones about saying that some one had played a trick on him."

"Certainly. The girl knew it was not her handkerchief. Edwin had to go to her with it, though, before he discovered that it was a plant. The point is, he did go to her at the first opportunity after he found the handkerchief, just exactly as he did when the colored boy gave him the vanity case."

I was not yet convinced. "If he returned the compact on the afternoon his uncle was murdered, why didn't he say so, rather than expose himself to suspicion, if the inquest showed his story false?"

John Patrick thought a moment. "You must not lose sight of the fact that he believed his alibi was adequate until he got the nasty shock caused by the ticket-seller failing to identify him. I don't know why he then decided to bluff it out, unless he felt he could always save himself by falling back on the truth. Or perhaps the truth was more damning than the lie. We have two alternatives left—either Edwin is innocent of the murder, in which case he can produce the lady to testify for him, or he is guilty and she knows it."

"That would explain why he is so anxious to prevent any one from finding out who she is," I breathed excitedly. "Look here, chief, let me go to Edwin now and tell him how much we know. I believe I can bluff him into an admission. If he is innocent, he will take us to the girl. If he is guilty, he will keep silent and we can turn our facts over to the police tomorrow, and I wager by night they pick the girl up."

"Bob, you are insane!" exclaimed John Patrick, aghast. "I cannot seem to drive it into your head that you are dealing with a dangerous criminal. This is not a game of tag. If you went to the man who killed Cyrus Evans with a bait like yours, thinking to trap him into a confession, you would never live to walk out of the room."

This bald statement shook me somewhat, but I was loath to give up my new idea. "He wouldn't dare kill me, if he thought you knew everything I did. We might even threaten him with a letter to be deposited with the District Attorney, you know, to be opened in case —well, in case anything happened to one or the other of us."

John Patrick shook his head emphatically. "No, thank you," he said dryly, "I have no desire to thrust my head into a noose, nor yours either. I wish I could impress on you the danger of your own foolhardiness. Can't you see this murder as I do; a cold calculating crime, done by a clever man to whom nothing matters but the achieving of his own ends? Do you think such a man is going to see himself in jeopardy and not strike back? Why even the thought that he has but a slim chance of going free, as in the case of holding the threat of the D. A. over his head, do you think he would hesitate to kill, to grasp at the slimmest reed?"

John Patrick stopped short, choked by his emotion.

In spite of myself, I was impressed. I felt a cold touch of horror when he presented so clearly to my eyes the sinister aspect of the murder already done and the boding threat of more evil to come.

"Boy," he said, his voice shaking, "if Edwin killed his uncle, I believe you were never in your life closer to death than tonight when you almost stretched out your hand for that infernal handkerchief."

This time John Patrick's words reached their objective and I went to bed fully convinced of the danger I had been in; and, while I hoped as much as ever before to bring Cyrus Evans' slayer to justice, I was content to let my share henceforth be as inconspicuous as possible. From now on, I determined to bridle my tongue and walk warily.

CHAPTER SIXTEEN

EVENTS moved slowly for the rest of the week. We were pointing now toward the fifteenth, laying our plans carefully for we feared that Edwin might act with a great deal more subtlety than he had displayed when he went to return the handkerchief. Even I was now willing to display greater secrecy and more astuteness in covering up our movements. I was prey to ceaseless recriminations lest I had already done something to alarm our quarry and show him we were already on his trail. I knew the price we should have to pay, should we fail to hide our tracks, should we alarm him prematurely. I kept company with foreboding thoughts those days.

Withal, my part in our next endeavor was to be purely inactive, as we planned it. John Patrick was to leave Bayside the afternoon of the fourteenth, called away by business totally unconnected with the Evans' affairs, and he would proceed to Havre de Grace—chosen as a base, both because of its proximity to Belton and because its urbane sophistication would permit him to put up at a hotel without occasioning too much speculation or comment. Then I was to telephone him when Edwin left the house, and my part was done.

That, I say, was the plan—but we reckoned without our shadowy opponent. He also had schemes for the fourteenth and fifteenth. John Patrick left according to schedule, leaving me to my own devices—and my first act was to provide us with some disquieting information and much food for thought. I went, prosaically enough, for a walk around the estate. In my mind I was revolving the idea, more or less suggested by my chief, that if Charles really did pick up a load of liquor at the mouth of Chesapeake Bay, what better place to land it than on his uncle's estate. And I found an amazing confirmation of the theory.

Now the Bayside property extended to the Post Road. To transport liquor once landed, any passable lane would do, but unquestionably such a lane could not pass too close to the house, for during Cyrus' lifetime he was a greater source of menace to the peace of mind of the rum-runners than was the Federal Service. To keep out of his way, then, was highly important to Charles in selecting the spot where the liquor was to be landed and stored to await the arrival of the trucks. This line of thinking brought me to the conclusion that there were only two places which would fulfil the conditions; one, a sandy strip of beach beyond the target range, very accessible from the water and capable of being reached by a tortuous wagon path through the woods. The other was not so accessible from the water, being on the bayou extending in from the pier and boat-house, but it was far nearer the main road and was expertly concealed from the house by the growth of pine trees at whose outer edge Cyrus had met his death.

It was this latter spot I inspected on the afternoon of the fourteenth. There was a rocky ledge at the head of the inlet, and closer inspection revealed a heap of rocks looking as if they had been placed by human hands to simulate a sort of cave. Still, I did not see how any truck could reach the place, until it dawned on me that I was standing within a few feet of the boundary line of the Evans' estate. The adjoining land was arid waste and, I had always supposed, sand. Not until I noted a gap in the barbed-wire fence did I think to climb over the miniature promontory and pass through the boundary hedge; then I saw to my surprise that the soil, while waste and unproductive, was not too sandy to permit motor traffic. True, it was of a clay foundation, difficult to negotiate in wet weather, particularly with a heavy load, but it was no worse at that than many of our country roads. This place, then, met all the requirements.

I was elated over my discovery and planned to keep a cautious watch over this parcel of ground. Yet I was disquieted, too; the cache was within two hundred feet of the exact spot where Cyrus had been killed. True, the rocky ledge and pine grove jutted across one's field of vision, but if Charles had stood there—and with three other men, all fully armed—he was lying when he said he knew nothing of the murder. I had an uncomfortable feeling that he was in it too, somehow, and, because we had not taken this possibility into consideration, I began to worry for my chief's safety. He was engaged in a mission too dangerous to neglect any single factor and I considered how best I could warn him.

The rest of the day was difficult for me to get through. After a week of cool, clear, autumn days, we had experienced an extraordinary change of weather, and unseasonable heat, with oppressing humidity, descended on us like a stifling blanket. Towards evening the atmosphere became charged with electricity, thunder grumbled to the south of us, warning us of the onslaught of one of those weird, untimely storms which, natural enough in the summer, seem like an insanity of nature when they appear out of their proper season. I knew that somewhere, far to the south of us, a tropical hurricane was churning the gray waters of the Gulf Stream, ships were in mortal danger, coastwise towns were fearfully awaiting their death sentence from the tidal wave, and we, safe and sound above the danger line would, nevertheless, feel the sting of the tail of the mighty tempest, sometime before morning.

I kept Edwin in sight until he retired, although I scarcely thought he would attempt to meet his appointment an evening too early, in the face of the forbidding weather. When I went to bed I should have been able to sleep in clear conscience, with nothing to worry about save the dispatching of one telephone call on the morrow. But I kept waking up after wild dreams, wherein I was pursuing the master criminal hoping to catch a glimpse of his face. Then when he did turn around, he had no face at all, only a horror, a countenance smooth, blank and featureless. I awoke, bathed in cold sweat, shivering with the remembrance of the terrible thing I had seen in my sleep. The storm was almost on us now—the lightning flashed white, but the air was still and heavy. Then I heard it—a sound in all the stillness. It was like a single footfall, only not so clearly marked—more like the noise a great animal might make, moving stealthily but brushing up against some unexpected obstacle.

First it was almost exactly opposite my door; it progressed slowly, steadily down the hall. Then there was an interval when I lay tense, straining to hear it again; and when I did, I knew it came from the room above where I lay, the empty, locked room which Charles had consigned to our care. A prowler was about, some one to whom a locked door did not matter, some one who would go about his evil business in spite of our precautions.

I heard the low ominous roll of thunder, the guns of the storm coming closer, drowning out all lesser sounds. In the ensuing silence, which was an emptiness draining my ears of all sound, I heard it once again, slow, maddening in its deliberateness; but I lay tense in my bed devoid of any desire to find the explanation for this thing.

Outside my window a determined wind sprang up. The lightning became more frequent and in one of the bright flashes I saw something on the blank wall at the foot of my bed. In each succeeding flash of light I saw it, a giant hand whose stiff fingers clasped and unclasped slowly, horribly. The thunder was crashing now, demons unleashed, the wind roaring by with hurricane force. A blinding flash, the fingers writhed in superhuman agony, and my eardrums sang from the concussion of the mighty blast of thunder just outside. Trembling, but made brave by the very excess of my terror, I reached under the pillow for my flashlight, for I knew all the lights of Bayside had gone off with the last awful burst of fury. I rushed to my window to close it and saw that the tree outside, whose wind-tossed branches had patterned the fingers on my wall, had gone down, split by lightning.

The gale passed on, nor in the succeeding interval of peace did I hear the footfalls again. I finally slept in pure exhaustion, and when I woke in the morning, save for the evidence of the tree outside, I might have been hard put to say how much of last night had been fact and how much fear-born fantasy. But I knew one thing, and I would not forget it; there was an intrepid prowler at Bayside, one who could go over the place at will. I could not forget that the last time we had an intruder, Charles had obviously been gripped by the cold clutch of fear—and the time before that we had found Cyrus dead.

All next day circumstances conspired to keep Tom, Edwin and me in close company. In the evening we were sitting in the gun-room, and I was wondering if Edwin did not intend to keep his engagement on this fifteenth. Suddenly he rose, stretched himself and remarked casually, "I'm going out for a ride. Either of you fellows care to go along?"

At this unusual invitation I felt a cold chill run down my spine. I thought of the gangster expression, "being taken for a ride," and I determined to refuse Edwin's invitation in such a way as to brush aside whatever suspicions he might have. As I spoke, I strove to be nonchalant but I felt as if I held my life in my hands.

"Thank you, Edwin, but it is getting on towards eight, and if I am to get any work done, I must start at once."

Tom put down the book he was reading and looked at me. "Nonsense, Bob, I believe you are afraid of the night air. If you can stand the dampness, you can do the work when you get back—unless you can't go the late night hours."

I drew myself up with what I hoped was a credible imitation of wounded dignity. "There is a certain amount of work to be gone through with before Mr. Vaile comes back, and I would like to get at it. Don't let my refusal stop you from going with Edwin, if you wish."

As I left the room, I heard Edwin laugh and say, "He had you there, Tom. You are the one who won't go out in an open car if the night's the least bit damp."

I waited until I heard the Chrysler go down the drive, then I called the number John Patrick had left with me and gave the code message agreed upon. I wished I knew some way of passing on my information, or suspicion, about Charles, but there seemed to be none. Now my part was done, and I was left to worry and fret about the success of my chief's plans.

The next day was one of indescribable anxiety. I had not heard Edwin return the night before, nor did I see him or his cousin at breakfast, although James told me they had finished a bare ten minutes ahead of me. I expected to see John Patrick back by lunch—but Tom and I ate alone. I was puzzled and distraught. The afternoon wore on, and still no sign of my chief. Worried as I was, I dared make no move. If John Patrick were all right, he would not thank me for my interference. My instructions had been to carry on at Bayside, but my instinct was to proceed to Belton and see if all was well with my old friend, or if some horrible accident had befallen him. I finally determined that I would wait until dark and then, if John Patrick had not returned, I would cast discretion to the wind and go in search of him.

Shortly before four-thirty a knock sounded on the door of the study where I was making a pretense at work. Before I could reply, Charles entered in his soundless fashion. The sight of him standing there affected my overwrought nerves so that I merely stared at him in open-mouthed bewilderment, my heart in my throat.

He looked at me a minute and then laughed, not unkindly. "What's the matter, Williams, you getting nervy, too?" Then he asked me for the key to his room.

Of course, the key which had proved so unnecessary to last night's prowler. It reposed in the strong box where John Patrick had put it. I got up, procured it, and handed it over. "I guess I am a bit nervy," I admitted. "Did you have a good cruise?"

He grunted an unintelligible rejoiner and then left me. I sat in silence for a few seconds until the sound over my head told me he was running a bath and would be busy for some little time. Then I ran lightly from my room, down the stairs, taking good care not to be seen until I gained the pine grove, where I was invisible to any watcher from the window. From there I hastened to the rocks, reconnoitering carefully, lest any of Charles' friends be around. I reached the cache and found it unguarded, a safe enough procedure in view of the location. I peered inside. Twenty cases, which, by their lettering, were of the best whiskey and assorted wines. Well, another piece of our puzzle fell into place with all its dreadful implications.

I went back to the house carefully and regained our study. There in front of the desk sat John Patrick.

"Thank God!" I burst out. "Another half hour and I would have gone in search of you."

"I'm glad you didn't," he said gravely. "Where have you been?"

In a few words I explained. I had found Charles' secret cache and, if that was where he was when his uncle was killed, he must have stood within a few hundred feet of the crime as it was committed.

"Curious," said John Patrick, "we get deeper in this mystery every step we take, instead of clearing it up a bit. Now let me tell you what I unearthed."

Settling himself comfortably and taking out his pipe, he began his surprising story.

CHAPTER SEVENTEEN

"I DON'T know, Bob, just how to tell this story," John Patrick began. "It seems so unbelievable that I don't see quite what it means myself. To put the matter in a nutshell, I have found the answer to all of our questions about Edwin except one, and I am no forwarder than I was at the beginning; for the one thing I can't answer is, did he commit the murder? One minute I think he is absolutely innocent and the next—well, I am not so sure. The best thing I can do is to tell you the facts as I dug them out, and let you interpret them for yourself.

"To begin with, as soon as I got your message, I went over to Belton, hid my car, and took up my post of observation. In a surprisingly short time, Edwin came along. I trailed him and, if I do say so myself, I did it in a highly professional manner." He interrupted himself to light his pipe.

"Where did he go?" I asked, unable to keep still any longer.

"The end of the trail, Bob," answered my chief, smiling at my eagerness. "You remember the big house standing on the corner where the lane runs into the country highway?"

I nodded. "The last possible house he could have as a destination."

"Right. And that is where he went."

I was astonished. "Why did he go through all the hocus-pocus then? He could drive around in his own car and park it in the country road a dozen times without anybody noticing him."

John Patrick shook his head. "No, he would be taking a chance that way and this was absolutely safe. By the way, I found out the origin of the path you so laboriously traced; it was originally a short-cut from the outlying districts to the blacksmith shop, but since the latter has fallen into disuse, it is now traversed mainly by small boys intent on their after-school smoke."

He paused to take breath. "When I said that Edwin went to that house, I misspoke myself a trifle. You noticed, I believe, how the path ended at a garden plot. At the right of the garden, beyond the rose arbor, is a small shed or tool-house. It was here that Edwin stopped; and, since the place, as well as being perfectly concealed for Edwin's purposes, was likewise sheltered enough to afford me the opportunity of approaching it closely, I crept up to the window where I could see dimly and hear clearly. Edwin's vis-à-vis was a girl, whose father was a friend of mine—Elissa Wheeler."

"Elissa Wheeler!" I exclaimed.

"Yes, do you know her?"

"Why, yes; only she has been Elissa Stone for three years. Is that the girl you mean—Stephen Stone's widow?"

John Patrick nodded. "If you are familiar with her story, then you begin to understand. At any rate, I occupied the thoroughly disagreeable position of eavesdropper long enough to assure myself of the girl's identity and find out something of the part she has played in Edwin's life."

I couldn't keep my attention on his words. The revelation of Elissa Stone's whereabouts had completely nonplussed me. I remembered all about her—one of the most beautiful débutantes four seasons back, she had married one of the most brilliant young men of our group. After their marriage they had gone abroad to live; rumors drifted back that the course of the matrimonial bark did not run smooth, and finally we heard of Stone's death on the polo field. I vaguely recalled that there had been a small son born about the time of his father's death, but I had no idea the girl had returned from Europe; hence when my friend, the druggist, told me that the house at the end of the road was occupied by the Widow Stone and her son, I never dreamed it was Elissa of whom he spoke. In fact, I recalled how I had put a tentative inquiry to ascertain if the son were old enough to be a possible companion for Edwin but, being reassured on that score, I had dismissed the place from my thoughts.

I brought back my attention with difficulty to what my chief was saying. He was concluding what I took to be an apologetic preamble to relating the scene to which he had been an eavesdropper.

"The reason I like doing my sleuthing from an armchair," he was saying, "is that it occasions so little of the disagreeable realities which constantly confront one on a mission such as I undertook last night. There was surely nothing dignified in the spectacle of an old man glued to the side of a tool-shed, spying on a pair of lovers."

"Lovers!" I cried horrified. "Elissa and Edwin?"

My chief waved his hand in his favorite gesture, indicating that if the opposing side would please keep silent for a few minutes, he would explain in good time.

"Their exact relationship is unfortunately something of a mystery to me. I say unfortunately, as it is on that point exactly that our whole future action depends. But let me tell you what I gathered from their conversation."

"I am anxious to hear," I retorted somewhat grimly.

"Elissa was waiting for Edwin when I got there," John Patrick resumed his narrative. "After greeting him with an affectionate embrace, she gave him a long, flat Manila envelope. From their subsequent talk, I judged that this contained a sum of around five hundred dollars, somewhat less than she usually confides to him at this time of the month."

I took a sharp breath, but was unable to speak. This, then, was the source of Edwin's mysterious affluence on the fifteenth of every month.

"At first I did not understand this action on the girl's part, and I can now only surmise what is going on from scraps of conversation. I believe that on a certain date she gives him either her entire allowance, as it comes to her from her father-in-law, reserving just enough for most modest expenses, or else she waits until the fifteenth to see how much she has left over from an allowance on the first." Later we learned that this last was the correct surmise, Elissa having arbitrarily set the date which confused us so much, in order to have ample time to pay off the month's bills before turning the residue over to Edwin.

"Edwin has been chosen as her broker partly to demonstrate her confidence in him, and partly so that she herself need never appear in the transactions. Whether or not she is aware that he is gambling with her funds, I have no idea. She seemed to exhibit a child-like faith in his ability to make her money grow substantially larger in a minimum period of time. I also learned that the sum of money to which Edwin alluded, when speaking to his brokers, means the life insurance which her husband left. To date, she has not drawn on it heavily, although I believe the money with which he paid Jones and Courtney must have come from that source.

"There was one more point, that developed in the course of the interview, which I, in my loathsome position of listener-in, was forced to hear, and that was perhaps the most interesting of all. Elissa asked Edwin if there were any news concerning the handkerchief. He said no, in a rather sulky manner, he didn't yet know who had put it in the car. Elissa enjoined caution on him, and said that they had better not take any more chances of being seen in the car together. Then she spoke of the vanity case and I wished I had had you along to make notes for me. I can't recall the conversation verbatim, but the import was unmistakable. Edwin did not see her on the afternoon that he left the vanity case. Every one in her household was out; all away for the day with her father-in-law in his car. So I ask you to note in passing that apparently her own motor was in her garage. That night Edwin wrote her a letter, which she received two days later, telling her of his uncle's murder and how he would try in every way to protect her name; but, if it all came out, she must swear she was with him. That, of course, she cannot do, for she was with her father-in-law the entire day."

"But surely she knows whether he took her car or not," I objected.

"Let's put it this way; if he took the car, she doesn't know he did. The only thing alarming her is that some one may find out he was at her house instead of at the Crystal Palace. Edwin has told her that he waited there until after five o'clock on the chance of her return. Now, he certainly has not an unassailable alibi. It takes care of every detail of his afternoon, perhaps, but could be very easily upset. He might have taken Elissa's car, turned back the mileage and refilled the gas tank, leaving her none the wiser; or, he may have had an accomplice, but, as far as we are concerned, it leaves us at a blank end. He may have been sitting in Elissa's garden waiting her return—I'm sure it is a plausible enough statement, but I can never lose sight of the fact that on the face of the evidence to date this murder could not have been committed anyway. Yet it was done, so somebody's story is false."

"By the way," I inquired, "what is the reason for all of this secrecy about Edwin's visits to Elissa? If she trusts him enough to give him money, why is she unwilling to be seen with him openly?"

John Patrick hesitated a moment before replying. "Scraps of their conversation led me to suspect the reason, but I wanted to make sure so I went into Baltimore today to see Ezra Wheeler. I don't believe he was aware," my chief broke off with a half-smile, "just how much information he did give me, but he is not hard to draw out on the subject of his only daughter."

I imagined not indeed. Ezra Wheeler was a man of impeccable social position, but little financial acumen. Once he had brought his daughter up and sponsored her debut, he sat back thanking his stars she had married a wealthy man who would be able to give her the things she had been raised to expect. Her widowhood appalled him, nor did he have sufficient reticence to refrain from discussing it as a blow to his hopes.

"It seems, the crux of the trouble is money," explained my chief. "Elissa has a liberal income for herself and son as long as she remains unmarried. But her father-in-law, who holds the money-bags, has made it plain that upon her remarriage she must either give the boy to his grandfather, or expect no further help from him. He likewise uses his financial power to threaten Elissa, if she does not do as he thinks is right. The girl is high-spirited and resents his interference, but is likewise devoted to her boy and will never do anything to harm him even indirectly. You know how well-to-do Stone is said to be and what his grandson's prospects will be if Elissa does not jeopardize them. Well, Edwin, I gather, arrived on the scene when they were in Paris, although he had probably known her before her marriage. When she ran across him abroad, she assigned him the role of sympathetic friend and adviser—a familiar face, a dependable some one on whom to lean amid a strange society, whose gay personnel she blamed for the growing coolness between herself and her husband. I doubt very much if anything would ever have come of this, had it not been for Stephen Stone's death. Elissa appears to me to be quite a thoroughbred, and I don't believe she would ever have cheapened herself with any clandestine affairs while her husband still lived."

"She is a very remarkable girl," I assented warmly, perhaps too fervidly considering how little I had seen her of late. "That's why I can't understand her taking up with some one like Edwin."

John Patrick regarded me steadily. "Well, I don't know. All I can say is, when she became a widow, only ten days after the birth of her son, she determined to return to this country. She arrived at Baltimore at the time of Edwin's trouble with the bank and all the resulting scandal, but she saw him again, sympathized with him, and would have been an open partisan of his except for her father-in-law's ultimatum. Perhaps it was nothing more than a high-strung young girl championing a friend, but old Stone was taking no chances. There was nothing Elissa could do at the time; she couldn't marry Edwin, and they wouldn't let her go on seeing him. So she took the house at Belton, determined to bury herself in the country and devote herself to the care of her son.

"Just at this point Edwin came to live at Bayside. They cooked up the theater scheme to see each other occasionally, for it was as important that Cyrus be kept in ignorance of their meetings, as it was that Stone should not hear of them. Cyrus and the tyrant were great cronies and Edwin could never have won his uncle's support of his courtship. That's about all of the story; they have been going on seeing each other, Elissa giving Edwin her money, hoping he can make the fortune which would enable them to marry."

"Cyrus' fortune would let them marry," I remarked bitterly. "Even one hundred thousand dollars would be a big help." I hated to see this lovely, high-spirited girl waste herself on a man like Edwin.

Vaile nodded. "It gives an added motive for the crime, and there is the possible opportunity—and that is all, an impasse from any point of view. Anyhow," he said lightly, "from their side it would have been more logical to kill Stone and leave the boy provided for."

I objected at once. "Perhaps it was too difficult."

"No, my boy," John Patrick's tone was weary. "The man who engineered Cyrus Evans' murder would not have been stopped by difficulties in the way."

"Well, what are we going to do about it?" I queried, impatient to be in action.

"Not a thing, son. If Edwin did come over to Bayside and kill his uncle, we can never prove it by ourselves. Our investigation has led us temporarily to a dead end. To go any farther, we would have to enlist the aid of Elissa, in the hope that some day he might betray himself to her. But if she loves him, she would betray us to him. If he loves her, he didn't do the murder—"

"But," I broke in, "if he is scoundrel enough to make love to her for the money he is getting from her—"

"He is probably the man who killed Cyrus," finished John Patrick, when emotion choked me so that I couldn't speak. "Is he, or is he not, in love with Elissa? It resolves itself into a psychological problem and not all your textbooks on psychology can give you the answer. So far as I have observed in my sixty-five years of experience, the more unlikely it seems for a man to fall in love, the more apt he is to do it. Love is an alchemy of the spirit which defies the psychiatrist's measuring rod."

I was disspirited and admitted it. "Is there nothing for us to do now?"

"Now we eliminate," answered John Patrick heartily. "We have other suspects. Just because you have settled it in your mind that Edwin is guilty, even though you can't prove it, is no reason to lay down on the job. We must go on and examine the others, and then if every one else is out of the question, we will turn our information over to the police and see if they can do any more than we."

For the first time in all my life I had a feeling akin to distrust for my chief. "Aren't you going to do anything to break up this affair between Edwin and Elissa?" I cried. "You must admit the man is a potential murderer, yet you let it go on?"

John Patrick replied gently, "We are all potential murderers, Boy. Edwin has latent in him all the qualities of the wild Evans' men, but he has always been a fence-straddler. Charles, with all his evil ways, is better liked because he is out and out what he is. Edwin holds back, is a hypocrite, you say; but perhaps it is the struggle within him of possibilities for good as strong as his inherent bend for outlawry. If such be the case, Elissa is the woman for him, to train and guide him."

I made a motion of disgust. "But if you are wrong, if he is deceiving her?"

"Then he is far and away the worst of the tribe," replied John Patrick gravely.

We were silent a moment. My feelings were mixed, my mind upset and troubled. Suddenly a faint sound came to my ears. It had come again—that strange noise I had heard last night. I held up my hand for silence and pantomimed my meaning to my chief. He heard it too. Softly, noiselessly, he moved to the desk and wrote on a slip of paper, "You have heard this sound before?"

"Yes, last night," I wrote in answer, "just before the fury of the storm."

"Who was in the house?"

"Only Tom and Edwin. Charles didn't return until this afternoon."

We stood in a tense silence. The noise kept on, invading the evening silence of the house, not loud, not strident, but insidious, pervasive. John Patrick spoke in a low whisper, "It is not a footstep. It is the noise of furniture being picked up very softly, of things being moved, very slightly. Some one is searching for something. Now I wonder if I know what they are looking for?"

CHAPTER EIGHTEEN

WE STOOD listening for about three minutes, struck dumb by the eeriness of the sound. At length, John Patrick broke the spell and said in guarded tones, "I believe it came from downstairs; shall we go see?"

I was curious enough to go, but I was cautious too. As we stood there I noticed it had grown dark outside, and I was not eager to go stealing from room to room, turning on lights as I went, especially since the house did not belong to me. The responsibility properly belonged elsewhere.

"Let's call Tom," I suggested. "It's his home and he is the one to be informed."

John Patrick smiled. "I'm not going to inform any one; also I'm going to be as noisy as possible so that I shan't surprise any one. I just want to see who is where and what explanation they have for being there." He pulled out his watch. "It is quarter to seven—just an hour before dinner and hence every one should be in his own room dressing. What an excellent time, by the way, for a prowler to seize upon. Every one accounted for, either sleeping or starting to dress—we are dealing with a rather subtle type of housebreaker, I should say."

A moment later, he had thrown open the door of the study, saying in a conversational tone, "I should like to look in the library and see if any book on international loans is there. We might as well find it and be ready for an early start tomorrow."

I caught my clue at once and said in a voice I strove to make steady and casual, "All right, I'll come and look. I'm sure Mr. Evans had one in his library once, and I would like to consult it regarding the bond issue."

We strode toward the stairs, speaking lightly of the case which had supposedly taken John Patrick to town. As we walked along, I glanced backward—a thin stream of light came from beneath the door of the room Edwin occupied. He had returned then; I wondered if he had seen Elissa. There was no light that I could see from Tom's room, but he occupied a suite and, if the light were on in the bathroom or even dim in the bedroom, it would be imperceptible from where we were.

Downstairs, the hallway, which ran the length of the house from back to front, was poorly lit by candles. A fire had been laid in the library and was burning dimly behind a screen. Under cover of hunting for a book, we looked around. Nothing met my eye, no sign of disorder, nothing out of place. Then, as I crossed the room and rested my hand on the mahogany table top, a few drops of moisture met my touch. I signaled my chief; he came over and, after running his fingers over the flat surface, nodded significantly at the vase of carnations from the greenhouse.

"The flowers are arranged in the morning," he hissed into my ear. "Somebody has had them out of the vase and sprinkled the water around without knowing it."

We kept up our pretense of hunting for a book, turning on the top lights and getting as much illumination as possible, but only one more sign did we find. A large overstuffed davenport was in front of the fireplace; the nap of the oriental rug beneath it was pressed down in such a way as to show that the piece of furniture had recently been moved and put back slightly out of place, as if some one had lifted it by each corner to inspect one leg at a time, permitting it to pivot slightly as he did so.

"A small article was the object of the search," I muttered cautiously, "something which could be concealed in a vase of flowers or the leg of a davenport."

"Yes, and something water does not affect, a solid of some kind."

At this moment John Patrick deemed it advisable to find the book we were ostensibly seeking. "Here it is," he exclaimed joyously and, tucking it under his arm, piloted me to the stairs. As we mounted, I looked up; silhouetted against the wall above the landing was a man's figure, motionless, black and huge. Distorted as it was, I could see a hand and arm poised on the stair rail; then, even as I watched, it flitted noiselessly upward.

"Charles!" I exclaimed under my breath. John Patrick did not reply until we had gained the second floor. Then closing our door, which had provided the light to pattern the figure on the landing, he spoke.

"Some one going up to the third floor certainly. Now, I wonder, were we trailing him or was he trailing us?"

I marveled at John Patrick's calm. I was trembling like a leaf, despite my efforts at control. "What are we going to do?" I inquired.

"Dress for dinner," responded my chief. "I want time to think this over. There are too many elements to this business; one minute, I know what the search is for, but I don't know who is doing the searching. Then the next minute, I know who wants it, but I don't know what it is. Talk about a case dripping with clues—I have so many I can't decipher them, and every one points to a different perpetrator of the crime. We've got to eliminate one or two of them soon."

"I have a clue," I said soberly. "I mean I have had it at one time or another. I can't exactly explain, but I feel that I once knew something important but have completely forgotten it by now. I wish it would come back to me; it may be the one thing we need to see through the mass of conflicting evidence."

John Patrick looked at me gravely. "I know, son, you spoke about it once before. If you ever get hold of it again, remember this one thing—just because the person toward whom it points seems most unlikely, don't discard any theory you may have. That's the only way to break this case, make up your mind as to where the facts point, and then go out and get the evidence. I've already made up my mind, you see, but I have to be very careful that I'm not carried away by my preconceived ideas to the point where I am inclined to regard everything as proof for my side, when it may be capable of quite a different interpretation, one which may give the lie to all my work."

"Do you mean to say, you know who killed Cyrus Evans?" I asked.

"Well, why not?" he parried. "You have some one in mind by this time, and why isn't my guess as good as yours?"

I glanced at him suspiciously, for I was not at all sure he meant the word, guess, to be taken seriously. As for me, I had two suspects now. Edwin quite possibly had taken Elissa's car and come over from Belton, although I was sure my chief didn't believe such was the case. I could not begin to hazard what John Patrick really thought was the truth of that affair, but my mind was made up—I could never believe Edwin capable of loving Elissa. Yet, if he were guilty of the murder, that lovely girl was going to be dragged through all the resulting publicity and scandal. I winced from the thought of being the one to bring Edwin to justice, when the act entailed Elissa's destruction at the same time.

No, I could not exonerate Edwin on logical grounds, but I surely hoped, for the girl's sake, that Charles was the guilty one. He was rapidly becoming my favorite, largely because we had found we could not overlook his actions even for a short time, while we investigated Edwin. Charles kept coming into the picture, despite our efforts to keep him out for the time being. His shadow on the wall tonight, his silent way of moving, his abrupt manners, all sent a shudder of disgust through me. His wild companions, his illegal enterprises, his possible and very probable presence on the estate at the very time when Cyrus met his death, all made me consider very seriously the part he played in the events at Bayside. But the proof that we must seek—I had none. Where did he get the gun? Where did any one get the gun, for that matter. The gun was not in the house, but we believed the killer was. More curious still, each of the Evans men was provided with a gun on the momentous afternoon, but not one of the bullets fired from any of the three guns corresponded with the bullet extracted from the dead man.

Dinner that evening was a fairly jovial meal, for a wonder. My intense relief at John Patrick's safe return raised my spirits wonderfully, for no one can go around keyed up as I had been without some reaction. My chief was his usual affable self, carrying on a lively conversation, ably seconded by Tom. Edwin was quiet, but not markedly so, while Charles, moody as usual, threw himself into the talk one minute, and sulked the next. Even so, there was less tension than ordinarily and almost no bickering. Nothing foreshadowed the strange events, so close upon us, which were to lead so rapidly to distressing tragedy and then straight to the horrible solution of the mystery.

We spent all evening together in the gun-room. The huge fire, restocked with logs from time to time, blazed away merrily, giving off a cheerful glow and plenty of warmth. Conversation varied from politics to personalities and back again, with the minimum of disagreement, until finally we all settled down to read books or periodicals in a very home-like way; all save Charles, at least, who sat all evening staring moodily at the fire. Shortly before eleven, James entered bearing a decanter of whiskey and a siphon of seltzer water.

Setting it down on the table, he stepped over to Tom and said something in a low voice. Tom started to his feet with an exclamation, "Go ahead, you fellows, have your whiskey and I'll join you in a few minutes. James says the fuse has blown out in the whiskey closet, and the whole cellar is in darkness. I'll have to see what the trouble is and get it fixed so he can go down and bank the fires tonight. Don't wait on me though."

John Patrick and I exchanged a hasty glance. Had the blowing-out of the fuse anything to do with the silent search earlier in the evening? Had the mysterious culprit gone down cellar in his quest? Tom had hardly left the room, when Charles sprang to his feet with alacrity to fix whiskeys for us. Each of us accepted a glass, savoring the fragrant aroma of old Scotch. While not a drinking man myself, I deplore that a new generation is growing up in ignorance of the famous old wines and whiskeys of the earlier days. The Evans' cellars always yielded treasures in the way of drinks, as careful a collection, after a fashion, as the trophies of the gun-room. Nor had I ever heard of one of the Evans' men getting drunk.

Reflecting thus, I sipped my nightcap, observing that John Patrick did the same. Edwin, on the other hand, took a big gulp of his and made a wry face.

"Good Lord, Charles, is this the best you can do now-a-days? It is foul."

Charles poured himself a small dose straight and drained it down. "It tastes all right," he said stiffly. "Go ahead and drink it, and be glad you don't have to buy the stuff they sell in town."

So that was the secret of the Evans' store of liquor; Charles was purveyor for Bayside. I wondered icily if we were partaking of the fruits of the latest voyage.

Then, as I took a second sip, a larger one this time, to tell the truth, it didn't taste so good. I told myself sternly it was because of my ridiculous prejudice against Charles' occupation. While I appreciated good liquor, I deplored the means necessary for acquiring it. Anyway, like most rye drinkers, I have never really cared for the peculiar flavor of Scotch, but, not wishing to offend Charles if he took a personal interest in the liquor supply, I drained my glass.

Edwin did the same after some more grumbling, but I noticed that John Patrick set his glass down scarcely half gone. How odd for Edwin's grousing to arouse a distaste for the drink in the rest of us! I got up to set my empty glass on the tray when the lights went out suddenly. A second later, they flashed on again.

"Tom fixing the fuse," muttered Charles, his tongue strangely thick.

I stood by the table balancing myself by leaning against it. It seemed unaccountably far off, back to the chair from which I had risen. I decided not to attempt it but to say good-night and go to bed at once. My chief likewise rose to go, looking at me oddly, and then Edwin got up with a jerk.

"Sitting here in front of the fire all evening has nearly finished me," he growled.

Tom met us in the hall and, hearing that we were all tired out, laughed and said, "Well, I'll just go in and get me a nightcap before emulating your good example."

As I rounded the landing of the stairs, I saw Tom go into the gun-room, almost colliding with Charles who was on his way out.

When we entered the study and were about to separate for the night, John Patrick paused and studied me for a fraction of a second. "You are all tired out, aren't you, lad?"

I admitted I was, not having had much sleep on the two preceding nights. He patted my arm. "Well, get a good rest tonight," he mumbled in a voice unlike his own clear-cut tones.

"You are nearly all in yourself," I remarked in surprise. He only nodded at me as he closed his door. Poor John Patrick; grand old man that he was, he was beginning to show his age, I thought.

As I closed my door, I realized that it was something more than fatigue holding me in its grip; it was a deadly stupor. My brain would not function at all. I could barely keep myself on my feet long enough to get ready for bed. I went through the requisite motions mechanically, my only thought being to lie down and seek oblivion. I could not grasp what had happened, but I did not greatly care, I wanted sleep.

Yet it was not sleep that came to me. It was the lapsing of all consciousness, a pseudo-death. The night brought horrible, intangible, unearthly dreams; ages later, life returned to me slowly, unwillingly, as I felt myself being shaken violently; but even then I could not rouse myself from the weight of my lethargy until a liberal dose of cold water hit me in the face. I sat up groggily, rubbing my eyes, to fall back again, overcome by dizziness and nausea. The room whirled and dipped in frantic revolutions about me. Finally, out of the dancing darkness and points of light, came my chief's face, looking white and drawn. I focussed on the sight until I overcame my sickness enough to perceive him, pale and weak, sitting on the bed beside me.

"What happened?" I asked, pressing my hands to aching temples.

"Drugged," said John Patrick briefly. "I blame myself for not having realized it last night, when you began acting so queerly. But I had some, too—only half a glass fortunately—so I was unable to think straight."

"The whiskey," I said, comprehending only vaguely.

He nodded. "It tasted a bit queer at the time."

I looked about me. The bright morning sunlight streamed in the windows over a scene of incredible disorder. Bureau drawers were turned out, chairs upset, the whole room looked as if a hurricane had struck it.

John Patrick followed my glance with his eyes. "Plain to see why we were drugged. The whole suite has been ransacked. Our unknown friend, whom we heard working downstairs, was engaged with merely the preliminaries at that time. I am going down now to get a cup of coffee and a quart of milk. If we can get the milk down, we ought to feel better."

Standing up weakly, plainly showing the effect of the drug, my chief departed. Left all alone, I fell back on the pillows with a groan. My head ached, my mouth was dry and foul tasting, my whole body sick and miserable. It seemed an impossibly long time before John Patrick returned, James behind him, bearing toast, coffee and milk. The butler's face was ashy, his eyes popping out, his hand shaking so that the china rattled on the tray.

"This is terrible, Bob, worse than I feared. Every single person sleeping in this house was drugged, and the whole place turned upside down. James can tell me nothing about it; he didn't see or hear a thing until he came over this morning to help his wife get breakfast. Even the kitchen has been searched."

"Was Tom drugged?" I asked, mindful of the fact that we had not seen him drink any of the whiskey.

Both my chief and James looked frightened as I mentioned the name. "Tom is in very bad shape," John Patrick replied. "Edwin and Charles are stirring a bit and coming to slowly, but I couldn't get any response from Tom. He is out completely."

"We could have prevented his being drugged," I said slowly, "if we had only guessed. He must have had his nightcap after we had ours, but unfortunately we none of us knew what was the matter."

"I have sent for the doctor," said John Patrick shortly. "And for the police."

At the mention of the police, James became more alarmed than ever. "We's all gwine to be murdered," he professed in tones which brooked no argument.

My chief turned to him. "No, we are safe for the present, James. You go downstairs and stay with Cornelia. Don't either of you try to clean up for the present though, for the police will want to see everything just as it is."

James left with little or no alacrity, as if he preferred our company to his wife's. We began our coffee and, as the hot liquid slipped down my throat, I began to feel decidedly better.

"Are all the rooms torn up like ours?" I asked.

"Every single room in this house has been entered, some with a skeleton key, and turned out thoroughly while the occupants slept," answered my chief.

"What has been stolen?" I asked.

"Well," managing a feeble smile, "the silver is intact and my shirt studs are safe, so I conclude it was not an ordinary burglary. I ought to go to Tom, I suppose," he broke off, "but I haven't much strength myself. I hope the doctor will get here soon."

"You mean Tom's condition is serious?" I inquired in surprise. My brain was getting clearer now.

"I'm very worried about him. He is still in a drugged slumber which shows no sign of abating. The boys came to quickly, but Tom shows no sign of consciousness."

"You'd better wait for the doctor, then," I said. "Since all this," waving my hand at the disorder in the room, "was done while every one in the house was asleep, you and I will have to admit we were on the wrong track—this is certainly an outside job. We knew the intruder was in the house before dinner, and I think we made a mistake by not telling Tom about it."

John Patrick looked at me shrewdly. "Bob, we have a great deal on our consciences now and we can't afford any more mistakes. I will admit that last night's work puts a different complexion on some things—and it makes others still clearer. We have reached the point where we shall have to take the police into our confidence; but nobody else. Sergeant Lyttle will be over this morning and we will put our heads together. We'll see first what the police make of it, and then we shall combine forces."

With this I was forced to be content. My chief undoubtedly knew what was best, but I was now sufficiently alarmed to wish as much support as we could get. The quicker this business was over, the better I would like it.

CHAPTER NINETEEN

THE doctor arrived promptly to examine his five patients. He found Charles and Edwin sick and weak, but out of danger, in a state very similar to mine before I had imbibed the restoring milk and coffee. But the medico had to ask John Patrick and me to assist him in caring for Tom, who was still in a deep, drugged slumber. The police arrived; restoring consciousness to the Master of Bayside was of more concern to us than aiding the law, but my chief went reluctantly to their assistance, while I remained to help the doctor. It took an hour or more of steady work to draw Tom out of the shadows, and many times I thought our task a hopeless one, but when things looked blackest he rallied under the stimulant the doctor administered and finally pulled out of danger. When he could speak, he feebly expressed a desire to have James with him, so that he should not be alone when the doctor left. In truth I did think some one should be with him, so I offered my services but he waved me away, reiterating his wish for the butler to stay in the sick room, while I should go to the aid of the police and should request that John Patrick come to see Tom as soon as convenient.

I was not reluctant to join the others in the library. The room had been subjected to the least disorder of any; in fact, as I wandered through the downstairs rooms, I rather got the impression that the upset condition was less the result of actual search than it was due to a desire to present an appearance of general confusion. The police must have already arrived at this decision, because they had given the servants permission to straighten up down here.

"Ah, there you are, Mr. Williams." It was my old friend Lyttle speaking. So he was back on the case again. "How is Mr. Evans coming along?"

"He has had a mighty tough pull," I answered, "but he is out of danger now and will soon be feeling as well as the rest of us."

"I'm glad to hear it," replied the policeman heartily. "This business is bad enough as it is. Perhaps you can help us get a bit forwarder on it—have you found out whether or not anything was missing from your effects?"

I had not as yet had time to make a complete inventory, but I knew my studs lay on the dressing-stand just as I had left them. On the other hand, my wallet had certainly been opened, the papers scattered on the floor, but not a cent of money had been taken. I duly reported these curious facts and, from the way Lyttle received them, I concluded that my tale was the same as the others had told. A strange burglar, indeed, had been at work.

The doctor had come downstairs a few seconds after I did and was now standing on the fringes of the group looking at us curiously. Lyttle turned to him. "Mr. Williams has told us that your patient is coming along nicely. Do you suppose I can send a man upstairs to question him?"

"You may question him," replied the doctor, "but I shouldn't advise his getting out of bed. He has had a narrow squeak and ought to take things quietly for a day or two."

The Sergeant nodded sympathetically and ordered one of his men to go upstairs.

"Will you tell us, please, just what was the matter with your patients this morning?"

The doctor took a chair and puffed out his chest. "I was summoned here by 'phone call at seven-thirty this morning," he began, not in the least adverse to giving as many details as he could. "The person who called gave the name of John Patrick Vaile and said he believed the whole family to be suffering from the effects of narcotic poisoning."

"And were they?" inquired the Sergeant with the air of one whose time, after all, is limited.

"I would judge by the symptoms which my patients exhibited that the gentleman's diagnosis was probably quite correct."

"What kind of poison had they taken?" snapped Lyttle hastily.

The doctor blinked his eyes in surprise. "I didn't say they had taken poison. Oh, dear me, no indeed. I said they were suffering from the effects of a narcotic poison. You see—," and the worthy practitioner cleared his throat as a preliminary to what was going to be a hair-splitting exercise unless I totally mistook the signs.

But Lyttle knew how to handle the medico and interrupted him before he could get fairly started. "I just want your opinion as to what drug was used," he said, managing to invest his tone with an air of courtesy. In the slightly long-winded reply that followed, I learned I had been the victim of some opium derivative, exact drug unknown. I could have told as much myself, using half the words. I thought Lyttle was disappointed by the doctor's refusing to commit himself to a definite narcotic, for it seemed to me, if we knew what had been given us we could trace the purchaser, or at least surmise how he had gotten it into his possession. Let me say right here that I was wrong, and John Patrick was already aware how futile any attempt to trace the purchaser would be. The drug used on us proved to be a simple household remedy found on most medicine shelves.

After the doctor had gone, Lyttle turned to John Patrick, whom he apparently accepted as being in charge of affairs, and said, "I have already taken your suggestion of sending the remains of the whiskey to the chemist's for analysis. Our own police doctor may want to come over and look at the patients, but I wanted to get the opinion of the man you called in, since he was the first on the ground."

As Mr. Vaile agreed, I exclaimed in surprise, "Was there whiskey left in the decanter? I should have thought our man would have poured it out and destroyed the evidence against him."

No one replied to my question. I remembered Charles' insinuation that he was responsible for the liquor. I glanced at him curiously. He was eying my chief with a cold, malevolent look.

As soon as I could, I stepped over to John Patrick's side and in a low tone, not wishing to be overheard, I asked, "Could the drug have been formed by some chemical action of the whiskey itself; a poison such as bad liquor would be?"

He shook his head. "No, I know enough about chemistry to be sure that something was put in the drinks with deliberate intent of causing deep sleep. It could be no chemical action of the liquor itself."

At this moment the policeman returned with the information that nothing was missing from Tom's room. He also informed us that two newspaper reporters were clamoring for entrance. Thus quickly had the Fourth Estate gathered on the scene of action. Sergeant Lyttle looked over the assemblage before him ere he gave any reply; a group of casuals we were, Vaile, Edwin, Charles and myself, all looking white and shaky. We sat in the most comfortable chairs we could find, sunk into easy postures, practically immobile, like a group of old men sunning themselves in wheel-chairs.

The Sergeant's face expressed nought but polite concern as he regarded us, but he must have been thinking that we were none of us likely to be of much help in tracking down the criminal. Finally he looked at John Patrick directly. "Since Mr. Thomas Evans is unable to leave his bed," he began, "am I right in assuming you to be temporarily in charge of the household?"

Both Edwin and Charles stared hostilely at the man thus addressed. He, on his part, waved his hand wearily. "I should say that the police were in charge in the absence of the owner. I do not feel that there is much I can do, so I would prefer the whole matter rested in your hands."

"Very well, sir," Lyttle spoke briskly, as if he had expected no other answer. "I shall get the report from my men very soon and then give the details to the papers myself. This is clearly an outside case, the work of a professional house-breaker. We shall not have much trouble in picking up the culprit, I trust. In as complicated a venture as this, he is bound to leave some clue that will sign his name definitely to his work. You know every criminal, who makes a profession or a specialty of a certain type of law-breaking over a period of years, gets to working along pretty characteristic lines. Therefore, every place he goes, he cannot help leaving certain marks which serve to identify him. For instance, we have several professional house-breakers who attempt to drug the occupants of the house before they enter; not many of this type, it is true, but a few. Other burglars work only when the families are away. But the point I am making is, each has his own particular method of working."

The Sergeant stopped to take breath. He was talking along for all the world like a professor instructing his class. I marveled at his garrulousness until it struck me he was talking against time. He wished to keep us all here in the library until he got his reports all in, fearing, quite probably, that if we were allowed to roam we might handicap the police.

"We will hear very soon some more definite news of how this house-breaker got in," he continued. "As I drove up, I could see certain signs of entry myself. My men ought to be along any moment to tell us exactly how it was done, and such information will go a long way toward the capture of the criminal. In the meanwhile, since I have ascertained from each of you gentlemen that none of your belongings is missing, can you give me any idea as to what it was that the would-be burglar was seeking?"

I held my breath after Lyttle asked the question. I was morally sure that one person in the room, and I did not know which one, knew the answer to the query Lyttle propounded. If he had affected the long-winded pedantic manner with the hope of luring alertness into somnolence, would he be successful and catch an answer to the thing we all most wanted to know?

But if this was his object, he failed signally. His hearers murmured half-hearted and disinterested "noes," and before he could pursue the subject any farther, a trooper came into the room to give us the story of last night's adventure as it appeared to the police from the signs they had found on the grounds. At first, the newcomer was loath to speak before so many of us, but upon the Sergeant's reassurance he told us what he had discovered, holding the limelight while his superior sat quietly back observing our faces.

The tale amounted briefly to this; a broken line of footprints had been traced from the rocky ledge on the southern edge of Bayside, immediately above the bayou, through the grounds to the gun-room window, which had been smashed and the catch undone. At this news, I sat up and took notice; the burglar, then, had come from the spot where Charles and his friends had cached their liquor. Evidently the cases had been removed since I was there, for the police made no mention of them, though they could scarcely have failed to see them. I glanced at Charles, noting the look of careless bravado on his face which betrayed to me, who was in the secret, that he was fully aware of what part of the estate the police were discussing. I looked at the Sergeant; his gaze was following mine, but I received the unpleasant impression that he had just that second shifted his eyes from my face.

Traces of mud had been found in several rooms, pre sumably those searched first. Now, several footprints, clear and well-defined, had been found outside, and a cast had been made of them. These were unusually large —about eleven and a half—and this news set me thinking. All the Evans' men were tall and rangy, but the largest foot among them did not measure more than a ten. A veritable giant must have made those tracks. In a flash of memory, I recalled the "John Smith" of the inquest. While not a tall man, he was built like a gorilla, with huge hands and feet.

This gave me a new idea, which I determined to talk over with my chief at the earliest opportunity. But John Patrick now spoke up and said, "If you will pardon me, Sergeant, I think all this information should be laid before Mr. Thomas at once, and a consultation held to determine what measures he thinks should be taken."

The worthy Sergeant looked a trifle taken back, nor did I see myself what John Patrick found in the foregoing report to necessitate taking it to Tom at once. But he rose in a manner which forbade dissension and I, not wishing to be left out, followed with Lyttle at my heels. Our departure was in the nature of a rout, the remaining policeman not at all certain what he was supposed to do, while both Charles and Edwin sat up to regard us curiously.

We climbed the stairs in silence and then John Patrick smiled. "After you have seen Mr. Thomas, Sergeant, I should take it as a favor if you came to my study. I wish to talk to you, but I am still feeling weak and think it would be a good idea if I lay down for a while."

The Sergeant nodded his comprehension, holding John Patrick's eye with a long level look. These two understood something about which I was completely in the dark. At present, I was not thinking of that; I was worried about my chief. He was not using his weakness as a subterfuge at all; he looked very bad and, no doubt, felt a great deal worse than he looked. As the Sergeant went to Tom's door, I made my chief as comfortable as I could in our disordered rooms. He looked around his bedroom with a slight smile and said, "I don't feel much like cleaning up this mess. Let's wait until tonight and see what a good tip will accomplish when James and Cornelia have more time."

I assented willingly. I did not feel bad at all, but I had no desire to undertake a task like straightening up this disorder. Besides, there was much I wanted to say while I still had the chance.

"Mr. Vaile," I began, "has it occurred to you that you have narrowly escaped a horrible accident? You, of all of us, might have succumbed entirely to the drugged whiskey. You drank scarcely half of it, yet you have been desperately ill. Had you finished it—." I left the thought hanging in mid-air.

It was characteristic of John Patrick not to shirk the dark implication of my train of thought.

"You mean that I, being thirty years older than the rest of you, might have died, had I taken the whole dose intended for me. Yes, it is true that my older system finds it hard to recuperate as easily as you younger men, but I don't believe such was the intention; although I will admit that if such had been the result, it would not have greatly grieved the perpetrator of the act. It would have been entirely accidental, or, perhaps I should say, incidental. We are dealing with a criminal who would not hesitate to kill again, but I don't think I am close enough on his trail to disturb him. The thing worrying me though—," he broke off, but after a moment he continued bravely, "I am not safe, nor are you, nor is any other innocent person. I've told you, I know how the murder was done, but I can't prove the identity of the person who did it. I am sure, after last night, that some interested party is tracking down a piece of evidence. Either it has gone astray, or it is still in the possession of the guilty one, but some one knows it exists. That leaves me on the horns of a dilemma. If I were sure that the piece of evidence means nothing to the person in whose possession it is, I could go to him and get the proof I need against the actual criminal. If I play it that way, and the man I question is guilty or has guilty knowledge of his own, I shall succeed in warning him, placing my own existence in jeopardy and accomplishing nothing at all."

"Don't do it," I cried abruptly. "There must be another way."

"Oh, there is," John Patrick sighed, "but it means watchful waiting until I get some better evidence to go on. In the meantime, anything can happen and the real fault is mine for being so slow-witted." He paused a moment. "Bob, there must be some link we are too stupid to see. No one is clever enough to commit the perfect crime without making a slip somewhere. It need not necessarily be a slip, just some tiny action that perhaps cannot be hidden and must be made to appear other than it really is."

Just then the Sergeant came in and threw himself down in an easy chair. He looked worried and perturbed, but he managed to give my chief a rueful smile.

"I guess you knew what story I was going to hear when you sent me up to see Mr. Thomas?"

My chief returned the smile in kind, but denied the implication. "No, I did not know, but I wanted to find out."

Sergeant Lyttle became serious at once. "Mr. Thomas Evans feels that last night an attempt was made on his life. He suspects that between the time when you all drank out of the decanter and the time when he poured himself a drink, a further amount of the drug was added, with the definite object of killing him. Only his remarkable constitution and the prompt medical attention he received by reason of Mr. Vaile's recovery saved his life."

I was aghast. "There was no one in the room between the time we left and the time Tom had his drink, save Charles."

"It is Mr. Charles whom he accuses," replied the Sergeant, and for a long minute all the room was silent while we each pondered this piece of news. Then Lyttle continued, "He believes that Charles is desirous of obtaining control of the entire Evans' fortune and intends to get it, first by eliminating Mr. Thomas, and then Mr. Edwin, unless he decides to content himself with the half-share. "Of course," the Sergeant interrupted himself to say, "Mr. Thomas has not a scrap of proof to offer and perhaps he would not say these things at all, if he were not in such a sick condition."

I was entirely out of my depth. "But Charles," I exclaimed, "he was in the house the whole time and was drugged like the rest of us. What about the footprints and all the things you said, pointing to a professional job?"

I caught sight of a smile on John Patrick's face, but Lyttle remained flatteringly grave. "I felt it best to tell a connected story to the family and the newspapers. All I said is true, only I don't think it exactly applies in this case."

"In other words," interposed John Patrick, "the Sergeant felt with me that the outside evidence was a bit too carefully done to be accepted without suspicion."

I objected at once, triumphantly launching the theory which had come to me when I heard about the footprints. "There is one person who fits in exactly; I don't deny that Charles was the moving spirit behind this murderous attack, but I believe I know the identity of the man who came in the house. Do you remember John Smith, Charles' partner, who testified at the inquest? I think it was he who made the search last night."

John Patrick shook his head and turned to Lyttle. "Williams and I heard sounds indicating that some one was at this business as early as dinner-time last night. Our would-be burglar got on the scene somewhat before he staged the entire show. But I doubt if a person, who could move as quietly and search as expeditiously, would have left the tracks outside, unless it was done deliberately."

"The prints were clumsy," agreed the trooper. "There was plenty of dry ground where he could have walked. Remember, the second time you had an intruder, the one who broke into Mr. Charles' room, there were no footprints, although the ground was softer and he had to walk with a great deal more care."

I noted the use of the expression "second time" and questioned Lyttle.

"You are forgetting the tramp whom Mr. Thomas saw the afternoon his father was killed. Until Mr. Vaile told me this morning that you have been visited four times, the police had only the one visit to work on." So John Patrick had, as I suspected, already had a private interview with the troopers.

Lyttle continued in a frank manner. "The situation now is this. Mr. Vaile is positive that some one in the house is directly and personally responsible for all these mysteries. Mr. Thomas is more definite, he names the person but advances no proof, and Mr. Williams inclines to the half-way position. He feels, the actual entry and search was made by an outsider at the instigation of one of the inmates, the same one whom Mr. Thomas accuses. I would consider this the most probable theory, had I not been convinced in my previous investigation that the man whom he names had nothing to do with it."

"Why are you so sure?" I asked.

"I am not so sure, now you have told me the later developments. But I do happen to know the gentleman in question. He is just a cheap crook, once a highway stick-up man. He is incapable of a brilliantly planned game like this business here seems to be. His right name, by the way, is Al Herz, and you can take it from me, he could not be hired to come near Bayside after a murder had been committed here. It surprised me he even came to the inquest; Mr. Charles must have a terrific hold on him to make him do that."

"Mr. Williams and I," began my chief slowly, "are already positive that Charles is working with a rather cheap band of crooks."

There was a question in John Patrick's voice, as if he wanted Lyttle to give him any information he might be withholding about Charles or the previous activity of the police in regard to the stranger whom they had been trying to trace. His smooth inflections expressed this so subtly that Lyttle, although he had not bargained on showing his hand yet, cleared his throat and replied, "I was watching Mr. Williams rather closely when my man was telling his story, and I saw he was familiar with several points of it already. Now, the farthest we have gotten in the mystery, is to investigate Charles' friends in hopes of finding the tramp among them. We have reached the place in our work where we need the help of some one inside the household; and I judge you two have been carrying on under your own responsibility only to come to a standstill. Let us pool our knowledge then and work along together."

"I am convinced," John Patrick's voice began sonorously, "I have been convinced from the very beginning, that my duty, as executor of the estate, included a certain responsibility in clearing up the mystery which surrounds Cyrus' death, before I made any attempt to distribute the legacies themselves. It seemed to me that my client's wish in this respect was as plain as if, foreseeing his end, he had written it into the will itself."

It was an idiosyncrasy of my chief thus to defend his actions when he thought there was a hint of possible criticism for meddling directed towards him.

"As I said," went on the Sergeant, paying not the least attention to the foregoing remarks, "I must have some one inside the house, some one who will work with me. I can have everybody shadowed when they go out, I can plant a man of my own at Bayside, but better than any such solution is to be able to take advantage of Mr. Vaile's well-known and often demonstrated abilities." He nodded politely at my chief.

Then this young man was aware of John Patrick's former achievements in connection with various criminal investigations. His stock rose considerably in my eyes, and I was delighted to find him so eager to get our help without displaying any jealousy or annoyance at what he might have regarded as our unjustified interference.

"I am sure," the Sergeant began, "that all these mysterious actions have been motivated and directed by some one of the family. I do not see how it was done, but I have come to the conclusion that Mr. Evans came to his death at the hands of one of his own kin. I have come to this conclusion after an exhaustive search for the man whom Mr. Thomas saw and shot at the day his father was killed. Just how this individual was involved I cannot say, beyond the fact that his part was one of hireling rather than principal. Perhaps his business now is to conduct the search for some object which his employer must have. That object, whatever it may be, bears directly on the murder; it is either the thing for which the crime was committed in the first place, or else it is evidence of some one's guilt. I have to know which." He held up his hand apologetically as my chief made as if to speak.

"Just one more word, please, Mr. Vaile. Last night's work was done by the accomplice, since every one in the house was unquestionably under the influence of the drug this morning. Now, what could be the nature of an object which could be so important, and yet whose recovery could be intrusted to a hired criminal?"

John Patrick looked up with an expression of utter weariness and lassitude on his face, such as I had never seen him manifest before. "Sergeant Lyttle," he began, "what I am about to say now are the words of an old man, tired and disillusioned by recent happenings. I think I could tell you the name of the man who did the murder, but I have not a scrap of proof, nor would you believe me without it. Moreover, I do not think it is possible ever to get the proof you need. But this I do say—the killer left some tell-tale evidence somewhere and that is what he is searching for. For God's sake, Lyttle, find the thing at once, for if it is in the hands of an innocent person, no matter whether or not he knows the meaning and value of what he has, his life is at stake. Put guards in the house and, if Tom feels that his life was attempted last night, detail a bodyguard for him. Don't relax your vigilance until you find the object."

Lyttle sensed the alarm and distress in John Patrick's voice. "You don't believe it was found last night?" he challenged.

"No," Vaile answered quickly, "not unless it was found in the last room searched, and such a supposition seems far-fetched. Every room on the upper two floors was actually ransacked; the downstairs was only made to look that way. We know those rooms have been combed on two previous occasions, at least. Had the object been found last night, the search would have been stopped at once, or else there would have been the same camouflage observable in some rooms up here as we saw downstairs. As I see it, the killer had been looking everywhere without success, so he decided to get us all asleep so deeply that we will not be disturbed as he makes one final grand effort. I greatly fear that effort was as unsuccessful as the others, and I hate to guess what his next move will be."

Lyttle pondered these remarks for a few minutes. "You insinuate that the killer did the searching last night himself. Do you mean, the real criminal was hired to commit the murder, or do you think some one only pretended to drink the whiskey?"

John Patrick made a weary gesture. "What does it matter in point of law? The testimony of the eye is not always accurate."

"It matters to me," said Lyttle decisively. "I am going to have the Baltimore police pick Al Herz up again. Now I have these footprints to go on, I can threaten him, and if he knows anything about last night he will talk fast enough when he finds out murder is connected with those doings."

"Charles drank his whiskey straight last night," I volunteered. "Would that make any difference in the action of the drug?"

"Probably not," answered Lyttle, "but it might have made it easier to dispose of the contents of the glass without drinking them. I'm inclined to believe that Mr.

Vaile is right and some one only pretended to drink last night."

"Then it was Charles," I exclaimed triumphantly. "Edwin complained of the bitterness of the whiskey."

Lyttle only smiled. "Aren't you underrating the intelligence of your adversary? That is exactly what a clever man would do, if he knew it was going to taste bad and he was intending to take just one sip himself before throwing the rest away, while you were all intent on tasting your own."

I nodded thoughtfully. "He tried to minimize the risk by speaking of it himself and then we were more likely to drink out of perversity or politeness. At any rate, that's what happened."

The Sergeant went on, "Perhaps there would have been extra inducements had some one refused to finish a sufficient amount of his nightcap. If that doctor weren't such a pompous old dunce, we might have found out if he suspected either Charles or Edwin of shamming this morning, but he would consider the question *lese majesté* both toward himself and his patients."

"I noticed his reaction when you suggested that we had taken the drug ourselves, rather than having it accidentally administered," I laughed.

"Yes, he's the kind of a doctor who, when a broker jumped out of a twenty-story window during the late depression, would certify that the death was due to natural causes. Well, I think he'd be right at that."

I stiffened involuntarily. I did not think it becoming of the police to jest at the idea of a business suicide. Lyttle sensed my disapproval and went on, "But the most important thing for us to decipher is—what is the nature of the object for which all this searching is being done?"

"Something small," hazarded John Patrick, "judging from the places searched."

The Sergeant was silent a few seconds. "Mr. Vaile," he asked, "is there any chance of a new will turning up, or any document which would upset the existing will?"

My chief shook his head emphatically. "Not a chance of a will benefiting either Charles or Edwin, if that is what you mean. I doubt if Cyrus would make any will at all without consulting us, but if he had decided to alter the provisions of the existing document, he never would have increased the benefits to either brother. If he disinherited Tom, Heaven only knows what he would have done with his money, but it would go to some institution rather than any one else in the family. Cyrus had heard rumors of Charles' bootlegging, and he distrusted both boys' predilection for low company. No, the document in effect now was made some years ago, and if Cyrus thought of altering it, it would have been to reduce the bequests. However, on that score, he told me often enough that he would leave the will the way it was, partly because they were his dead brother's sons and deserved something on that account, and partly to keep them from disputing the will and tying up the estate. He read them rightly; with each of them, a bird in the hand is worth a thousand in chancery."

The Sergeant nodded. "Then even if he knew of Mr. Thomas' gambling and had cut him out of the inheritance, he would not have increased the nephews' share."

"I think he would have given Tom the same amount he gave the other two, and left the bulk of the estate elsewhere. But don't worry about that, man, there is no other will. You can't dispose of an estate like this one without calling in a lawyer. I wasn't called, and if any one else had been, don't you suppose we would have heard from him by now?"

Lyttle sighed. "I'm just trying to figure out what would have been important enough for anybody to go to such desperate lengths to find. Well, I'll call Baltimore to pick up Herz and try for a lead there. I shall accept your suggestion, gladly, about having Mr. Thomas Evans protected and, in return, I shall rely on you to keep me informed of everything going on in the house. For, mark my words, the solution to this mystery is right here under our noses, and the real criminal a resident of Bayside."

CHAPTER TWENTY

FROM the moment when Lyttle took us into his confidence and requested our help, we began to work hand in hand with the police. In fact, John Patrick became the directing head of the investigation now nearing its sensational end. And although he never took the Sergeant entirely into his confidence, due to his unrelaxing personal reticence, at least he gave him whole-hearted aid and valuable suggestions.

My chief was in a peculiar position; he already knew who had done the murder, he even understood what had been the object of the unrelenting search throughout the house; but he did not know where it was hidden, nor was he sure of the actual status of the person who, at least once, had had it in his possession. His worst handicap, as he explained after all was over, was his absolute lack of evidence and his great fear that, failing the necessary evidence, anything he did might precipitate another murder. There was nothing to do but wait for the killer to smoke himself out; and if another death should result because of this waiting—how else could it have been prevented?

John Patrick's first move, when he assumed control of the final plan of campaign, was designed to reduce the risk to the minimum. He sent for the police to remain at the house, ostensibly to look for some clue to the identity of the professional house-breaker, since this myth was to be religiously held to for public consumption. Although I realized that this measure was for the protection of us all, it made me feel ill at ease and more fearful than I had been at any previous time. It smacked too much of armed guards and a state of siege for my liking.

As long as we five had been at Bayside together, there had been an undercurrent of suspense and excitement, it is true, but nothing we could not look to protect ourselves against, even though we must needs walk warily until the unmasking of the killer permitted us to relax and put away our apprehension. Now with the summoning of the police and the installation of the troopers in our residence, I felt that we were acknowledging ourselves helpless against the sinister shadow menacing us, and I did not like the resultant sense of dependency. It seemed to me, we were making a confession of failure when we had already done so much, John Patrick and I, he suggesting a course of action for me to follow out.

We had broken down Edwin's alibi and established the fact that he could have been at Bayside when Cyrus was killed. We had ferreted out Charles' hidden activities, and now had a strong suspicion that he had been within two hundred feet when the crime was committed. In spite of our success thus far, we were now to give up our problem and depend on outside help, when we might be arriving at the solution unaided. I racked my brains all day for something of hidden significance, which might furnish the key to our puzzle and permit us to fit the rest of the fragments into place.

Along toward nightfall the troopers withdrew from the house, save for the one man detailed to guard Tom until he was strong enough to look after himself. I was amazed to note that the assigning of this bodyguard called forth no comment from either of the brothers, for I thought that Charles, at least, would have something to say on the subject. I began to suspect that both of the boys had been more upset by last night's happenings than they dared admit, either because they thought matters were going too far, or because they had guilty knowledge and were trying to conceal it. Three troopers were to remain at Bayside as a patrol for the grounds, and their presence was to be a regular feature from now on, regardless of whether or not Tom decided to dispense with the bodyguard.

Meanwhile, all of us had made a splendid recovery from our unfortunate experience of the night before, whatever effect it may have had on our mental states. Tom had staged a rapid come-back in the afternoon and by evening he insisted, in spite of the doctor's orders to the contrary, on getting up and joining us downstairs after dinner. We were all gathered in the gun-room, as was the custom at Bayside, when he came in. I thought he showed the effects of his illness quite plainly, both by his nervous manner and his random, ceaseless conversation; but perhaps this was due, in a measure, to Charles' presence. It truly was a queer situation which threw into close proximity, first Mr. Vaile and me, Tom's guests, free from suspicion of complicity in the crime but bending our best efforts toward the apprehension of the criminal; Edwin and Charles, Tom's cousins and pensioners, one or both of whom he suspected of the murder of his father and the attempted murder of himself. I wondered why Charles remained, unless, as seemed doubtful, he was unaware of Tom's accusation to Lyttle on that very morning. I finally decided that he was sufficiently deep in his own thoughts to ignore Tom's presence, or perhaps it was his usual reckless bravado holding him here in the gun-room with us. Whatever may have been the individual reasons, the fact remained that none of us seemed to be desirous of leaving the presence of the others to seek solitude on the floors above where the lone trooper kept his solitary vigil, grim reminder of last night's disorder.

We were all at pains to make conversation, lest the lack of it should suggest our dispersing for the night. Tom kept pacing ceaselessly up and down the room, finally stopping in front of the gun-case containing the old frontier weapon which I have mentioned once before in this narrative. After a few moments of hesitation, he opened the case and drew out the gun.

"Did you ever see this?" he inquired, addressing himself to my chief. "I know you don't particularly care for museum pieces, but this might be of interest to you."

John Patrick held out his hands without exhibiting more than prefunctory concern. "I see," he said, "an old single-action Colt. Not an uncommon relic of the frontier days. A certain romance about them, too; with just such a gun, I suppose, Billy the Kid terrorized Tombstone, and other hardy plainsmen gained fantastic reputations for their marksmanship."

I reached for the gun idly; I had seen it before and knew why Tom was smiling as he listened to Vaile's disinterested words, but, like the rest, I wished to keep the conversation going and ugly thoughts at bay, even if it had to be done at the cost of repetition of the old story. Besides, to tell the truth, when Tom first handed us the gun I did not recognize it.

"Nice balance," I commented. "Do you suppose those old-timers could shoot from the hip with anything like the accuracy attributed to them?'

Tom began to laugh. "As a pair of gun-experts you are strangely blind. The revolver you are holding is not precisely the one that figured in frontier romance."

John Patrick came to my side and I showed him the changes that had been made in the weapon—for now I recalled them. In shape and finish it was exactly what it purported to be, a relic of an earlier day, but closer inspection revealed that it had been modified by master craftsmen in a surprising way. It was fitted with hammer, cylinder and ejector, adapting it to present-day ammunition and rendering it capable of firing just such a cartridge as had killed Cyrus Evans.

"A curiosity indeed," murmured John Patrick. "But why did you have it done?"

Charles spoke up from his favorite chair by the fireplace. "My idea," he explained. "It rather started by my wondering, just as Bob did a minute ago, how much truth there was in the tall stories of marksmanship of the old frontiersmen. I began to study some of the weapons of the period, and, while I still distrust the tales, it is on account of the old-fashioned ammunition. They knew how to make guns in those days, real guns, for men who could use them. The balance is nearly perfect, the grip far more comfortable than any modern pistol—it's the best designed gun ever made and sold. I have small use for an automatic and, if you don't believe my contentions as to the accuracy and penetration of that pistol there, take it out and see how it works with modern ammunition."

"I'd like to," John Patrick responded, but Charles was off on his favorite hobby.

"As for your guess about Billy the Kid, you are not so far away from the mark. A fellow brought that pistol to me from Mexico and told me that it belonged to one of the old Arizona marshals, who eventually found life more pleasant across the border."

"Is that so?" John Patrick was looking curiously at the notches on the grip as he handed it back to Tom. The latter polished the gun lovingly before he made as if to put it back in its velvet case. "Tell me more about it," my chief begged like a small boy scenting a grim story.

But Charles was not to be drawn into a discussion of the pistol's lurid past, even if he knew it. "It saw bloody service in the days which the best minds choose to gloss over as a necessary but deplorable concomitant to our glorious civilization—let it rest in peace now."

"Here, Edwin, you have never seen it since it came back from the factory, have you?" Tom said in the silence following Charles' last words. Edwin took the gun out of its case and aimed it a few times with real delight in his eye.

"I knew it was here, I think, but I never saw it before, or quite realized what Charles had had done to it. This makes a real weapon now, doesn't it? I've heard Charles ride his hobby before, but I didn't guess there was so much in it. Mind if I try shooting some day, Charles?"

As I watched the scene, I could not help reflecting that it would have been far better for both those boys, had they lived in the days when the gun was young. They were of the temper which would have written fresh pages in the history of the old West; the Evans family would have made great names in the frontier times. Romance might have presented them as lawless killers, judged by our standards, but their fame would have acquired the softening and mellow glamour that attached itself to the heroes of the great Southwest. It is an error for nature to permit her children to be born out of their time, a waste of human body and human soul. If my worst suspicions were correct and one of these men was a murderer, how much of the fault was his, and how much that of the era into which, through no asking of his own, he had the misfortune to be born?

Edwin, replacing the pistol in its case and snapping shut the lid, put a period to my thoughts. After all, we cannot choose the age in which to live, nor could I afford to criticize it. Where would I have been without the great corporations that gave rise to my profession? I should not have cared to be a lawyer in the gaudy days of the old frontier; I fear I have not the proper temperament.

Just then James came in and summoned me to the telephone. To my surprise it was a toll call from Baltimore.

"Hello, Mr. Williams," said a familiar voice. "Sergeant Lyttle talking. I thought you might be interested to know that we picked up Al Herz. He seemed to be a favorite suspect of yours."

I was not able to understand exactly what Lyttle was driving at, but I was tremendously interested in his news. "Yes, indeed," I answered. "Has he told you anything yet?"

The Sergeant's tone was grim. "Yes, he told me a lot, but it isn't half what he is coming through with before we are done. It is too late tonight, but I wondered if you and Mr. Vaile would like to come up to town tomorrow. I've got to stay here until we decide how valuable this evidence is, and the D. A.'s office would kind of like to go over it with you all."

I realized that the Sergeant's "you all" meant my chief in particular, so I promised that both of us would be up in the morning and made an appointment before I hung up.

Returning to the gun-room, I was not a little elated. Al Herz was my prize suspect, notwithstanding the Sergeant's disparagement of his capabilities. I did not have the proof for my theory, but it did seem to me that Herz filled the bill to a nicety. It would be far more satisfactory to make a scapegoat out of a professional crook than to pin the murder to one of the Evanses, no matter if I did think they were fully capable of it. To find a murderer among my own acquaintances rather upset my idea of things as they ought to be and disillusioned me as to the safeguards of contemporary civilization. I could hardly wait to break the news to my chief.

As Charles had left the gun-room before my return, I believed it safe to hazard a guarded mention of the morrow's expedition.

"Sergeant Lyttle was on the 'phone," I remarked casually. "He has an errand for us to do in town and

I took the liberty of promising our co-operation."

John Patrick nodded, a questioning look in his eye. "Will it take very long?"

I thought a minute. "We have to go to Baltimore; suppose we leave just before lunch and then we can be back in time for dinner."

"If it will take that long," announced my chief, "we had better go earlier, as there is some business at the office awaiting our attention."

"How about you, Edwin?" asked Tom. "Shall you be going up with them?"

Edwin looked rather surprised and remarked stiffly, "I shall be away tomorrow, if that is what you want to know, but I am going in my own car."

"I merely wished to tell James about lunch," Tom explained coolly.

Edwin vouchsafed no reply, leaving Tom to surmise the time of his departure. I wondered idly if he intended to see Elissa. I wished I could have the opportunity to shadow him. Then an idea struck me; what would happen if I should call on Elissa myself? After all, I did know her and surely her residence in Belton was no secret, even though I had failed to discover it in the course of my early inquiry at the drugstore.

Later on that night, after John Patrick and I had gained our rooms, I suggested some such course of action; first, however, explaining the real nature of our trip to Baltimore. When I had done talking, my chief held up his hands in mock horror.

"Bob, you are hopeless. You are ready to pin the case on Edwin, yet you more than suspect Charles, and you really hope Al Herz is guilty. Now I can't believe this was a gang murder. I don't even agree with the Sergeant in his theory. You are in no frame of mind to sift any evidence dispassionately. You would better let me go to the police station myself, and leave you to attend to things at the office."

"The way this case looks to me," I said stiffly, for I felt no slight grievance at his words, "is that if Edwin had some means of conveyance from Belton he could easily have committed the murder. If he didn't, then Charles did. At least, he was on the scene—or practically so. If he did kill his uncle, then that Herz person was accessory after the fact. I would not be surprised if he could explain what became of the gun and who was the tramp Tom chased."

"And shot at?" queried John Patrick softly.

"No," I replied thoughtfully. "I still can't explain the shooting—but perhaps Herz can."

My chief's voice was kind. "Boy, I don't want you along tomorrow, because I don't want you to get too much conflicting evidence in your head. I have to rely on your memory of what you think happened on November tenth, last. I'll tell you what Al Herz says about it, and then we'll go over the stories, point by point. In that way, your own mind will be clearer and we'll be of more help to each other."

"Do you mean that I am not to go to police headquarters with you?"

"Just so. There is plenty for you to attend to at the office. After all, the firm can't function properly with both members out running down a murder."

With this decision I was forced to be content, although I did not relish spending the day working in our

Baltimore office, while John Patrick was in the center of things.

"All right, then—but don't forget to let me know everything they get from Herz," I said.

CHAPTER TWENTY-ONE

THE next morning we left Bayside early and drove to Baltimore before any of the family were up. It proved a long day for me, forbidden to attend the conference in the District Attorney's office, forced to discipline my wandering thoughts by working in my musty quarters. For the first time in my life my spirit rebelled against the corporation reports and balance-sheets formerly containing all the romance in the world for me. Over folios of closely-typed script, designed to smooth the path for a gigantic merger, appeared Elissa's golden head and Edwin's face with his eyes narrowed as he had aimed the old pistol last night. I could hear again the ring of metal as Charles, half in scorn, half in bravado, threw the key down on our study desk, the day he asked us to take charge of it. What was the meaning of the raid on his room? Had Herz done it at Charles' bidding, or had the two fallen out?

I shook my head impatiently; I must banish these tempting thoughts and get my mind on the business before me. How slowly time crawled, as I emulated our office boy's technic and went about my work with one eye on the clock, one ear cocked to catch the striking of the hours. It was six o'clock, pitch dark outside and snowing, when John Patrick came into the room.

"Come, Bob," he said in tones so abrupt as to contrast harshly with his usual courteous speech, "get your coat and come on. We must get back to Bayside at once. Lyttle is out in the car and he will give you a full explanation as we drive along."

My chief's obvious disinclination to stop and discuss matters made me silent as I got on my overcoat and hastened down to the car. I got in the back seat of the sedan and sat beside the Sergeant. Since all the windows, save the one at the driver's elbow, were rolled up to keep out the snow, the three of us sat snugly for conversation.

"What about it?" I asked eagerly, as John Patrick shifted gears and nosed his way out into traffic.

"Oh, Herz came across with enough evidence to stock a farm," answered Lyttle. "Being an innocent bootlegger, he was only too eager to disavow any connection with the murder. The trouble is that evidence—well, evidence isn't always proof."

I nodded my comprehension. "Evidence can be taken to mean one thing one time, and another thing entirely different at other times, depending on contributing circumstances."

Lyttle smiled a bit sourly. "You've hit it, Williams." We were passing up Charles Street, whose gayly decorated shops proclaimed the imminence of the Christmas season. "For instance, look at the Salvation Army Santa Claus with his kettle on the corner. Now there is evidence before your eyes as to the existence of Santa Claus. But I have to get his confession as to driving reindeer in defiance of the traffic laws before I can arrest him."

"And then, out of your own knowledge and experience, can you believe his confession?" queried John Patrick sardonically.

"I sure can, if I can get it," announced the Sergeant in a decided tone of voice.

"Would you mind telling me what this is all about?" I asked a trifle impatiently.

The Sergeant turned to me. "On November tenth, last, at four in the afternoon, an innocent little group of bootleggers met on the shore of the Bayside estate, down there where the bayou comes in."

My heart leaped; once again my deduction was right.

"This group comprised one Al Herz, one Angelo Morelli, and one Spider Longstreet, all known to the police, not favorably but well. They had come there to meet Charles Evans, who had loaned the gang his cruiser, and his uncle's property, to assist in the rum-running expedition. As they stood there quietly, the four of them, a shot rang out. Charles crept forward over the rocks to investigate, while the other three stood there, holding hands or playing mumbley-peg, I suppose. At any rate, Evans returned, gun in hand, some fifteen minutes later. It was not he, but Morelli, who approached Herz later and instructed him to testify at the inquest, in order that no suspicion should be cast in their direction through their association with Charles. I understand, you have already seen Morelli, so you can appreciate how compelling he could be."

"I?" I inquired in surprise.

"If you will go to crab and beer places, you must not be surprised at the people you meet there," Lyttle answered with a boyish grin.

So Morelli was my friend with the compelling voice and sinister glance. "What is Edwin's connection with the gang, then?" I asked.

"None," replied John Patrick over his shoulder. "Lyttle thinks it was undoubtedly Charles who was there, and who made his exit through the door from the last booth into the office. After all, you merely heard the name Evans and jumped at the conclusion that it was Edwin."

I was somewhat embarrassed and turned to Lyttle to question him further. "It seems a strange enough tale. Of course, the fog must have been heavy down by the water, but it seems as if Herz must have seen more than he says. You don't believe him, do you?"

"Of course, I do," snapped Lyttle.

"You don't quite understand," remarked Mr. Vaile. "Al Herz was vague about the direction from which the shot came, but early this morning he very conveniently decided that it came from the direction where Tom says he was chasing his tramp. Therefore, the police believe Charles, coming out from the woods to investigate the first shot, met up with his uncle and shot him, either according to premeditated plan or in a moment of rashness. It was, of course, necessary to keep Cyrus in ignorance of what was going on down by the bayou."

"There you have the motive, the opportunity and the means. I hardly need to tell you, Mr. Williams, the shot fired down by the dock was not heard even by those standing closest."

"A silencer on the gun!" I exclaimed, slapping my knee. At last, an explanation of the single shot. The one that Tom fired at the tramp—or was it the one the tramp fired at him? Well, perhaps there was only one; Tom might very well have fired at the tramp and then claimed that the latter shot at him first. I shook my head impatiently; it did not quite fit in, but it must be the correct solution.

"Don't like it, hey?" inquired Lyttle, peering at me in the darkness.

"Oh, well," I said slowly, "it doesn't seem absolutely conclusive, if you know what I mean, but it might very well be the truth."

"Exactly," stated the Sergeant triumphantly. "That's what I told Mr. Vaile. This isn't a cross-word puzzle, it's a murder. There are bound to be little pieces left over, things we don't see yet, but I've got enough to work on. I can try now to get a confession from Charles, and just a few more shreds of proof, and I can arrest him. Anyhow, the D. A.'s office thinks we are near the end of the case; they 'phoned to Bayside for him to come to town."

"He didn't come?" I asked breathlessly. "Why, he may have escaped by now."

"Not a chance," replied the Sergeant grimly. "There are plain-clothes men at Bayside with orders to shadow any one who leaves. No one will get away."

"How about the cruiser?" I inquired.

"Two men aboard her to prevent any one from making off in her."

"Funny he didn't come in to the D. A.'s then, unless he is suspicious."

"Oh, he is suspicious all right," returned Lyttle. "We really didn't expect him to turn up first try, but he's the type that it doesn't do any harm to warn and let think the situation over a bit before you are really ready to tackle him. When the office called, the butler answered, so Charles will probably say he never got the message, but he'll be just that much more likely to talk to me."

"And I suppose he will confide in you as to whose gun he used and where it is now," put in John Patrick.

"That's right," I said, "Charles' gun did not shoot a bullet whose markings were similar to those on the fatal bullet, did it?"

"No," acknowledged the Sergeant, "but he could have had another gun with him at the time. It was only Mr. Thomas Evans who was definitely limited in that respect."

I addressed my chief with a direct question, "Don't you believe Charles is guilty?"

He hesitated before he replied, "It is not improbable. However, I am not convinced, even though the possibility has been in my mind from the start."

"I am," I stated, mindful of my chief's previous accusation that my head was too full of suspects for clear thinking. "It seems to me to be the obvious answer to all our questions. A silencer on the gun, of course. Why didn't we think of it before?"

"We did," said Lyttle, emphasizing the pronoun with slight malice. "As soon as Tom was out—he could not have had a silencer on his gun without our knowing it, for we should have seen the threads on the muzzle. You are aware, I suppose, how a silencer screws on the muzzle of the gun and, therefore, there must be threads just as you find when you screw your pipe-stem together, for instance."

I nodded my comprehension. "But you don't know where the gun that killed Cyrus is now. When you find it, you expect to discover that it has been fitted with a silencer."

"Did Herz admit to seeing a silencer on the gun in Charles' hand?" asked my chief.

"No," answered the Sergeant reluctantly. "He said he really didn't notice."

There was a faint snort from the front seat, indicating John Patrick's disbelief of this statement. It did seem strange for any one to overlook such an obvious appendage to a pistol.

Lyttle defended this point quickly. "I didn't expect Herz to give young Evans away completely. He will, though, when he is convinced it is to his advantage to do so."

The rest of the way to Bayside the Sergeant and I did all the talking. The more I thought about it, the more apparent Charles' guilt became. His arrest would end all our troubles and, sorry as I was, of course, that Charles should prove to be the murderer, nevertheless I would be glad to have the strain ended and be able to settle back to a normal way of living again.

As we turned in at the gates to the Evans' property, the chain was stretched across, forbidding our entrance. John Patrick sounded the horn, and in a second Trooper Brown appeared at the running board of his car. His voice sounded abrupt and harassed. "Will the Sergeant please stop off a minute?" he said.

Lyttle, with an exclamation of surprise, climbed out.

"Perhaps it would be better if the car waited, too," added Brown.

John Patrick good-humoredly turned off the motor and drew out his pipe, preparing to fill it. I shivered as the chill air, no longer warmed by the running of the engine, penetrated my overcoat.

"Now what?" I queried, watching the two policemen disappear within the gate-keeper's house.

"Something serious, I'm afraid," replied Mr. Vaile in a voice he strove to keep casual.

We were not long left in ignorance. The door of the lodge burst open and Lyttle, with Brown at his heels, fairly fell into the car.

"Drive right on up to the house, please." Lyttle's voice was trembling with excitement. "The case is over. I have my confession. Charles Evans committed suicide about an hour ago."

"What!" exclaimed John Patrick and I in unison.

"He shot himself," returned Lyttle, now striving to keep all indications of triumph out of his voice and speak with at least a modicum of the respect due to the dead. "The call from the D. A.'s office must have told him the game was up; finding any escape impossible, he took the easiest way out."

"The easiest way out," my chief repeated the trite phrasing in a musing tone. "Yes, I suppose so. He would never submit to capture. Who was in the house when he killed himself?"

"No one," answered the Sergeant. "Mr. Edwin had gone some time before, and Mr. Thomas, as soon as he heard that Charles was wanted in town, dismissed the guard on the cruiser and took her down to the narrows to get some ducks. I reckon he knew his cousin and was willing to give him a chance to do what he did. Mr. Thomas, of course, has been aware of the truth for some time, I think, although he did not confide in the police until he felt that his own life was menaced."

I had caught something in Lyttle's resumé that struck me as very strange. "You say, Tom dismissed the guard on the cruiser? I thought they were there to protect him as much as anything else."

Lyttle gave me a quick look and replied in a dry voice, "So did I. It seems, Tom pointed out that there would be no room for them in the blind, and so, instead of staying with the cruiser anyway, they elected to remain in the warmth of the gate-house. Of course, if anything had happened to the Master of Bayside, the papers would have been hot on the trail of the police, never considering that when you furnish a man with a bodyguard and he refuses it, there is something to be said on both sides."

Brown seemed to feel that this was a good time to shift the conversation. "Mr. Thomas came back to the house just before I left," he volunteered. "He was awful cut up about it. We had trouble in getting him to leave the gun-room where the body lies, but we had to lock it up until the Sergeant got here."

"The gun-room?" I exclaimed stupidly.

"Suppose you begin at the beginning and tell us who found the body and all you know about it," suggested John Patrick, but Sergeant Lyttle demurred. We were already up to the house now.

"There's the medico's car now," he said. "I've got to get in right away. If you want to come in with me, you'll have to wait for further details until I get more time."

Unable to resist the opportunity afforded to gain immediate entrance to the scene of the crime, John Patrick and I followed the troopers in silence. Inside all was confusion. The doctor protested angrily against his enforced wait, but, as Trooper Brown had had the foresight to take the key to the gun-room with him when he went down to the lodge, there was nothing for any one to do. Apropos of this maneuver on Brown's part, we later learned that he had telephoned to Baltimore to get Lyttle, only to find out that we were on our way back. Unwilling to risk any more responsibility than had already been forced upon him, he locked everything up and carefully absented himself to await his superior's arrival. Meanwhile, Tom had appeared to keep the doctor company, the servants hovered fearfully on the outskirts of the group, and a number of the police awaited in the lower hall. Our advent was the match to set this scene of suspended animation into feverish activity. Edwin did not join us, although I saw his white face peering out of the library as we passed the door.

We gathered the story the best we could, while the doctor and police made their respective examinations. At two o'clock, when the message came from the D. A.'s office, the place had been practically deserted. John Patrick, Lyttle and I had been gone long since, and Edwin had disappeared immediately after lunch, although there seemed to be some mystery about what time he had actually left the house. When the long-distance call had come, Tom had intercepted James as he was going up to the third floor to deliver the message to Charles. The Master, unwilling though he appeared to admit it now, must certainly, in view of his own suspicions, have realized the terrible import of the message.

At least, he went himself to deliver it. James, without waiting for anything more, having finished his own work at the house, retired to his quarters. About a half an hour later, Tom called him to get his duck-shooting equipment ready, and soon after the Master left aboard his cruiser, hoping to get out to the near-by blind for some shooting. He sent the two troopers, who were guarding the boat, to the lodge where Brown was stationed. The men patrolling Bayside were well out of sight of the house, engaged in watching the boundaries to see that no one got on or off the property without due authority. At any rate, Charles was left alone in the house, and no one observed anything untoward until about six o'clock.

As I have mentioned, it was snowing lightly and was very dark from five o'clock on. There were four men in all sitting in the lodge, Trooper Starr having joined the others sometime before, to wait until it was his relief at the boundary patrol. Suddenly a car drove up, Edwin at the wheel. He went into the house and the police waited, expecting to see the plain-clothes man who had followed him out earlier in the day. When I said there was a slight mystery about the time Edwin left the estate, I did not mean that the police were at all in the dark. Lyttle had detailed a man to follow each person who left the house, and it came out later that, so literally had his instructions been adhered to, a man had actually camped outside my office all day lest I should sally forth. But it was unfortunate in several ways that Mr. Vaile and I had not been taken into the Sergeant's confidence in respect to this order, for we could have saved him some trouble. It seemed to indicate that neither side was being as frank as their associates thought they were.

At any rate, it was quite an interval after Edwin's appearance before his shadower arrived. He stopped at the gate and related a queer story. About three o'clock he had followed Edwin into the Crystal Palace theater. He had lost him at the doorway, in order to keep from being noticed himself, but he sat way back waiting for his quarry to come out. After several hours, the show was over and the lights flashed on, and the crowd left—but no Edwin. The mystified trooper had hastened back to Bayside, only to find out, when he got there, that his man had preceded him.

"Yeh," sneered Brown, "but you don't know where he has been for two and a half hours. He might have parked his car, gotten on the grounds some way we don't know nothing about, and raided the whole house again." Edwin was evidently Brown's favorite suspect.

"Not without the patrol seeing him," said the other man uncertainly.

"Well, he got away from you, didn't he? But I guess the rest of us are a lot smarter than you and he didn't get by."

The upshot of the interchange was that Brown himself decided to go up to the house after Edwin. As he put it, he had a feeling that something was definitely wrong and he hoped to get a chance to talk with Edwin to see what that young man had to say for himself. As he came along the drive, just abreast of the gun-room windows, he saw the light flash on inside. Looking in, he watched Edwin go into the room and then stop suddenly in his tracks.

The trooper left the path and came closer to the window, noticing, as he did so, that it was open slightly from the bottom. Standing withdrawn a bit, to be out of sight of any one within the room, he saw directly in his own line of vision Charles' body sprawled over in his easy-chair. Certain he was looking at a dead man, he wasted no time but dashed in the house and into the gun-room. Edwin was by then standing in front of his dead brother, gazing at him without any trace of expression on his face. Brown noted at once the powder marks, characteristic of a shot at close range, and the gun on the floor where it might have slipped out of hands relaxing in death. Making up his mind that it was suicide, he locked the room, sent for the medical examiner, and tried to get hold of Lyttle.

Meanwhile the plain-clothes man, who had lost Edwin's trail in Belton, on receiving the latest news bestirred himself to try to find footprints which would show how Edwin had gotten on the estate, provided he had made a subsequent trip ere he came back past the gates. The snow was melting too fast to retain good prints, but he did find evidence to prove the truth of Tom's story of his trip on the cruiser and his return, so he felt that a negative report on Edwin's activities was fairly safe to rely upon. Nevertheless he was much relieved when Lyttle's return brought corroboration of Brown's first hasty verdict of suicide.

The examination of the body brought out some curious facts. The wound was large, showing that the bullet was at least of the caliber fired by the gun lying on the floor. And that gun, oddly enough, was the very weapon we had all of us been looking at the night before—the remodeled frontier pistol. In my surprise I stooped to pick it up but, with a sharp exclamation Lyttle caught my wrist in a vise-like hold.

"Leave things as they are," he hissed. "I've sent for a photographer to take a picture of the body."

"All right," I answered in astonishment. "I should hardly think it necessary in a case of suicide, though."

"Probably not," replied Lyttle, "but I'm going to have the picture and then I am going to have the gun looked over for finger-prints. I'm not overlooking any bets this time."

"I admire your efficiency and thoroughness, Sergeant," put in Tom quietly; "but it appears to me a plain case of suicide. Look at the powder marks on the face, the position of the gun, and well—I suppose there is no use beating around the bush. If you have just come from Baltimore, you must know the reason for the suicide as well as the rest of us. It is hard on the surviving members of the family; nevertheless we do not wish to hinder the police in their work. Only, Sergeant, can't you take this suicide as tantamount to confession and close up the police records and get it over with the least possible publicity?" Tom's tone was dignified, but there was an undercurrent of pleading in it.

"You may be sure, Mr. Evans," replied the Sergeant gravely, "that every consideration possible will be made out of respect to the surviving members of the family. But my personal conviction that it is suicide, done for good and sufficient reason, is not reason enough for me to leave this house now and hush the whole thing up. I have a duty to the State and it must be performed."

This was pretty stiff, I thought. I felt, I should take a hand and I looked at my chief for guidance. He was standing near the body, apparently so absorbed in the investigation that he had not heard the discussion. Tom, sensing the futility of any more words with the Sergeant, looked at him soberly for a few seconds and then, shrugging his shoulders, turned away.

"After all," Lyttle went on stubbornly, "there are one or two things to be cleared up. Why, for instance, did he use this gun to kill himself with, when his own forty-five is in his shoulder holster?"

"I think I can answer your question," I said. I had been thinking over that point myself, although I had been ignorant of the presence of the other gun. "The frontier pistol is an old favorite of his, he had it remodeled himself out of sentiment. He believed it belonged to either the sheriff of Tombstone or one of its famous men. Isn't it just like Charles," I appealed to Tom, "to go out with a gesture of that kind? After all, we who knew him thought of him as spiritual kin to the outlaws of the West, and perhaps he felt the same. An ironical twist to death itself would be just the thing he would like."

Lyttle was staring at me with his mouth open. "That gun has been modified to carry modern ammunition?" he finally managed to ask. "You all knew it and never thought to mention it to me. Why, it is the only gun in the house that hasn't been test-fired! It may be the gun used to kill Cyrus Evans and, if it was, I see why he used it to kill himself, all right. It is his confession. Gentlemen, I'll have a gun-expert here in a short while and, if we find what I think we will, I can promise you no further annoyance. The case is closed."

My chief looked up from an examination of the gun which Lyttle had withdrawn from the holster, Charles' own forty-five. It seemed to interest him more than the other gun interested Lyttle, as he had even withdrawn the ammunition.

"Full chamber this," he observed. "And the safety catch was on; makes it difficult to believe this could be anything but suicide, for I can't quite fancy Charles permitting any one to approach him closely enough to fire and leave powder burns while he had this weapon resting against his shoulder."

Lyttle had been instructing one of his men to arrange for the test-firing, but now he whirled around and saw what John Patrick had in his hand. "You ought not to have touched that," he cried. The Sergeant was rapidly becoming exasperated with all of us.

Fortunately, the entrance of the photographer made an interruption. We were all asked to leave except John Patrick, who had been requested to conduct the test to be made on the frontier gun. I left and went to my room to think things over, for I had not gotten the events of the day in the order which I have presented them. They had come to me piecemeal and some, such as the connected story of Edwin's day, I had not yet ascertained.

It grew very late, perhaps close on midnight, but I could not go to sleep until I should hear the results of the conference in the gun-room, whither I knew the investigators were to repair after all the tests, photographs and finger-prints were taken, compared and discussed. Yet I dared not intrude, for the Sergeant had demonstrated a certain stubbornness and irascibility, which I thought best not to offend. So I was delighted when a knock came on my door and Tom thrust his head in.

"Thought you might like to come up to my study for a hot toddy and await the reports. Bring Edwin along if you find him awake."

So it came about that Edwin and I took ourselves to the Master's suite and made ourselves as comfortable as possible, considering the restraint Charles' death had laid upon us.

It flashed through my mind, as I sat there, that there was a certain grotesque familiarity about the present scene. I was conscious of an uncanny sense of having lived through this very moment sometime in the past. The locale and the personnel were nearly the same as on the night of Cyrus' death; the room was a different one, but Tom's furnishings were the same and, while Sergeant Lyttle was not with us tonight, Edwin was. This still did not account for my odd sensation. I watched Tom set up his alcohol stove. What had he done next? Oh, yes, cleaned his gun. I glanced sidewise at Edwin; of course, he had not been here before, not coming in until later. And now a curious drama began to unfold before my eyes. I thought of the gruesome device of the police called re-enacting the crime. The crime, so to speak, had been re-enacted and my brain, stubborn so long, had at last yielded up the key to the mystery. I longed to rush out of the study, seek John Patrick, and lay my discovery before him. But I dared not; craven fear pinned me in my seat. I saw now the danger for the man who knew too much. And I knew that here, in the room with me, was a man who had killed before and would kill again.

I do not know how long a time we spent in the study. I never realized what we talked about or how we kept the conversation going on at all, without fear betraying me in my words or in my face. But talk we did, and I managed to carry on in my role until the long wait was over.

Footsteps coming up the stairs again as on the night of Cyrus' death—thank God this nightmare was coming to an end! Just as my subconscious mind had known on that other occasion, so I was only too well aware what news was coming now. The difference now was, that whereas before I had been groping in the dark, not knowing what evil I sensed, this time the whole horrible pattern was unfolded before me and I understood in full the diabolical astuteness of the killer.

Sergeant Lyttle paused in the doorway. The room was absolutely still. His first remark was addressed to all of us.

"The remodeled forty-five did not fire the shot that killed Cyrus Evans. I compared the markings myself with those of the photograph in my file and there is no similarity."

A subdued murmur broke out. I let my breath escape quietly. I was right then. Lyttle waited until we were silent again. Then he turned to Tom and his voice rang out, "Mr. Evans, your cousin did not commit suicide; he was murdered."

Tom was on his feet in an instant. For a fraction of a second his eyes held mine—he did not look at the brother of the man who had just been murdered.

"It can't be," he exclaimed in a shaky tone. "You must be mistaken."

The Sergeant shook his head deliberately. "The gun found at Mr. Charles' feet fired the shot that killed him, but it did not have his finger-prints on it."

"I see," Tom steadied himself, his fingers against the edge of the desk. "Well—have a drink." He finished abruptly, as if he had intended to say something entirely different but thought better of it. As the Sergeant took the extended glass, Tom continued, "There must be an error somewhere. It seemed so plainly to be suicide, I can't believe it anything else."

Then his voice took on a slightly legal tinge; I could see that Tom intended to fight the idea that it might be murder for, bad as suicide was, it was worse to have another murder at Bayside. "The absence of finger-prints alone," he said, "is not conclusive evidence. A dozen explanations may be found. Perhaps Charles had a handkerchief in his hand, perhaps he lived long enough to wipe off the finger-marks himself. Heaven knows, he did enough odd things."

The Sergeant took a long sip from his glass. Then he answered, "I did not say anything about the absence of finger-prints. I said that Mr. Charles' prints are not on the gun. Another person's are."

My brain was in a whirl. I could not believe that there were any prints on that pistol. Had the killer slipped at last? Lyttle went on talking.

"Mr. Thomas, who was in the house besides yourself when the telephone message came from the District Attorney's office?"

For the first time since Lyttle entered the room, Tom looked at Edwin, who sat silent, tense.

"I cannot say, I'm sure."

"James answered the telephone, and you took the message from him and said you'd deliver it yourself. You certainly know that the butler was here at least," snapped Lyttle.

"Certainly. And I am likewise sure that one State trooper was in the house," replied Tom impassively.

"And you dismissed him after going up to Charles' room, telling him you were going duck-shooting."

"I did. I went duck-shooting. You don't doubt that fact, do you?'

"No." Lyttle modified his tone somewhat. "What I am getting at is this—what did Mr. Charles say to you when you saw him, and did you understand the importance of the message you delivered?"

Tom answered the first part of the question promptly. "I didn't see Charles at all. I knocked on his door, delivered the message, and he replied with some monosyllable, so I came away."

Lyttle had to prompt him to get a reply to the second part of the double interrogative. After a short hesitation, Tom said, "In view of everything that has happened, I think I did not fully realize the significance of the message."

Then the Sergeant turned on Edwin and shot a rapid question at him.

"Mr. Edwin, will you tell me what you can about this afternoon's tragedy?"

Edwin answered very coolly. "There is nothing I can say. I left just after lunch. I think it must have been before the message came in—at least, I knew nothing about it. I went to the movies in Belton and remained there until nearly six o'clock."

Oh, God, I understood now. The Sergeant's tone was cold as ice. "No, Mr. Edwin, you went to the movies, but you didn't stay there. You had better tell me exactly what you did do this afternoon, and I warn you that whatever you may say may be used as evidence against you."

Edwin's face went very white. "Are the finger-prints on the gun mine?" he asked.

The Sergeant did not reply.

"I will say no more without the advice of a lawyer," snapped Edwin.

CHAPTER TWENTY-TWO

AS IF in response to Edwin's demand, the door opened to admit John Patrick. Before any one else could speak, Tom exclaimed, "There you are, Mr. Vaile. The police have a new theory, predicated on the question of my cousin's whereabouts this afternoon, and he refuses to talk—quite rightly, I think—without the advice of counsel. I don't need to say, how interested I am that this should all be cleared up with the least possible reflection on the family; I can trust you to take care of such matters."

But John Patrick did not immediately reply to Tom. Instead, he turned to the Sergeant and inquired. "What's this you are doing now?"

"I'll tell you what I am doing. I am arresting Edwin for the murder of his brother."

Tom turned on Lyttle. "Be careful, Sergeant, you can't afford to make another mistake."

Lyttle's face was suffused with anger. "I have the grounds for this arrest, and Mr. Vaile can corroborate my statement. He showed me the reasons for believing this to be murder, not suicide, and when I found the finger-prints on the gun were not those of its owner, it didn't take much imagination to see they belonged to the murderer. I was willing to give Edwin a chance to explain where he was this afternoon and what he was doing, but he couldn't. He tried to tell me what I know is not true. I know he was not at the Crystal Palace all afternoon. Then what course is open to me, save to arrest him?"

Tom looked both angry and disgusted. "Bah, you haven't any case to take before a jury and you know it. You say, Mr. Vaile has been helping you. I must have been misjudging him then when I asked him to advise Edwin. However, I should like to hear what he has to say, since I thought his work down here consisted of settling up the estate."

I think if Tom had made such a remark to me I should have jumped up and hit him, so taut were my nerves. But my chief, sensing the strain around him, replied mildly enough, "No, Tom, I would not be willing to advise Edwin. My interest is merely that of any decent citizen—I want to see justice done. I have the honor of the Evans' name at heart and I do think it is proper to inform you fully of the facts of the case and let you make your own judgment as to what is to be done."

But the Sergeant demurred. "This is no time for discussion. I want to get my prisoner over to the county seat without giving him a chance to escape while you lawyers are talking it over."

My chief gazed at Lyttle with mild disapproval. "You are making a mistake in acting so hastily. Mr. Thomas, as survivor of the family, cousin to both the deceased and accused, has the right to full information as regards the facts. I am not going to state any case against Edwin personally, if you like; I recognize such action to be the prerogative of the prosecuting attorney. I shall review the facts against a hypothetical murderer, merely showing how we know murder was committed and what proof we have against the person who did it. You surely can't object to such a procedure, so long as it is for Tom's benefit; I shall tell him everything the minute you leave anyway."

Lyttle saw the point of this argument and yielded—although he did so with the worst possible grace. He looked around at all of us and then, dragging a pair of handcuffs from his pocket, he snapped one on Edwin's wrist and one on his own. I was amazed at Edwin's non-resistance, he was like a man in a stupor, all the fight gone out of him. He slouched despondently in a huge arm-chair, Lyttle perched beside him, the light streaming down on their set countenances from the tall standing lamp beside them.

This lamp was another of the sinister trophies so favored by the Evans' family. A gift to Tom from one of the officers at a near-by Army post, it might have seemed at another time merely an odd curiosity in dubious taste, but now it took on an ill-omened entity of its own, lending extra grimness to a scene already grim enough. The lamp was a heavy thing, a base of solid brass from which rose the gleaming brass shell-case of a three-inch anti-aircraft shell. This tapered smoothly upward for almost three feet, where it held the highly polished steel shell itself, from which the high explosive had been carefully removed. Above this was the incongruous cluster of electric lights. The device, intended to deal death and destruction to the swift flying airplane, was now holding aloft glowing bulbs, which cast their light over the stunned countenance of a man accused of murder.

Tom paced the room restlessly until my chief and I found places at the desk, and then he went over and stood leaning against the fireplace, separated from his cousin by the tall lamp. He stooped occasionally to poke the fire into a fitful flaming, but for the most part he listened intently to what John Patrick had to say.

My chief began; "Let us recapitulate the events up to the time when Sergeant Lyttle decided that he had murder to deal with, not suicide. The first circumstance to alarm the police was Edwin's return to Bayside unaccompanied by the man detailed to shadow him. When the plain-clothes man arrived and reported that he had lost his quarry after following him into the Crystal Palace at Belton, Trooper Brown became worried and decided to go up to the house to see, in the first place, that everything was all right, and to try to induce Edwin to give some explanation of how he had managed to shake off his follower.

"Then we come to the scene that met Brown's eye as he stood outside the window of the gun-room. Let me describe it as if we had a photograph taken at the very instant the trooper got there. First, Brown, standing in the shelter of the portico, looking through the window raised a few inches from the bottom. Inside, directly in his line of vision, Charles, seated in his big chair, his body limp and relaxed in death, a gaping hole in his forehead, a pistol beside the chair. There, standing off and regarding his brother, was Edwin, whose whereabouts for the past two hours were still a mystery to the police.

"Brown tells me that when he ran into the room his only thought was that Edwin had killed his brother. But, as soon as he got near the body, he saw two things that made him change his mind. The first was the powder burn on Charles' face. Now you all know that while a shot may be fired fairly close to an object and not leave a clear and distinct burn, especially if some of the newer kinds of smokeless powder are used, yet if the mark is there, it is proof positive that the shot was fired very close to the object so marked. Therefore, when Brown saw the distinct powder burns around the hole in the forehead, he was surely justified, you would say, in changing his original opinion.

"I said, also, he made another observation which went far to verify the suicide theory. From beneath the dead man's coat protruded the butt of a pistol carried in a shoulder holster, proving the victim had been armed at the time of his death. Yet, no attempt had been made to withdraw the gun from the holster, and let me say right here that such was my interest in this point, that I later withdrew the pistol myself to see if there was a possibility that the gun had been withdrawn and then replaced after the death of its owner. In that case, naturally, the hand replacing it would have been the murderer's and he must necessarily have left fingerprints, or else have rubbed off the prints previously made. Suffice to say, I found nothing to confirm any of these suppositions. So now we have come to the point where Brown locked up the gun-room and went to the lodge to await the arrival of his superior officer.

"Lyttle brought news which again seemed to confirm the theory of self-destruction, for he could tell of the motive for the act. Then, when he saw the frontier gun, the only forty-five in the house not previously test-fired, he evolved an interesting theory—namely, that

Charles had used that very gun to kill his uncle and, in using it again to kill himself, he was making sure the police would not overlook it this time. He wanted no doubt to exist on the significance of his act, or on the subject of his guilt."

My chief paused to take a long breath and not a soul in the room stirred. So far, we had been listening to facts we were already pretty much aware of; but we were waiting for the revelations we knew were to come, revelations we dreaded, we were afraid to hear, much more afraid to miss.

He continued: "Now, I must admit this theory interested me, for it had possibilities. But it received a violent setback when the gun was tested and it was proved not to be the weapon which killed Cyrus. But we did get something from the gun—or at least the Sergeant did—a perfect set of finger-prints that matched up with Edwin's."

"You don't really know all that; you haven't had time in the bare five hours since Charles' death to make all these tests," observed Tom.

John Patrick answered with a slight smile: "You are not giving the police credit for their ability. Lyttle sent for a finger-print expert at the very beginning and the comparison of his findings was not difficult. The Sergeant has on his personal file photographic copies of all our prints—yes, even I was so honored—and it was merely a matter of using the telephone to check those found here with the ones on the file. As for the ballistic test, well, I simply looked down the barrel of the remodeled frontier gun and counted the lands. The number of lands in the old-time guns is entirely different from those in the modern weapons, and I had already determined, when I saw the enlarged picture of the other bullet, that it was fired by a modern Colt automatic. In passing, I refer you to the opinion of your own expert, Tom; he said the same thing. And the frontier pistol, as you know, is not an automatic."

Tom nodded thoughtfully, but it was plain to see that he was not satisfied. "All right, but look here—everything else you have said goes to prove that no one on earth could have approached Charles and fired point-blank at him when he was armed. Good Lord, Vaile, you have been living here in the house with us all; I ask you, has Charles' temper been such that at any time within the past month he would permit even his own brother to approach him, weapon in hand—and certainly you can't pretend that Edwin hid that big pistol on his person—at any rate, do you think any one could come near Charles and shoot him without his making an attempt to get his own gun? You, yourself, admitted that the gun could not have been tampered with after the death of the owner, and I'll go farther than that and tell you right now, one of the best reasons for believing it was suicide is the position of the body. Nobody had touched it or moved it in any way when I first saw it."

Lyttle broke in, "How do you explain those finger-prints, then? And will you all remember that you said this was to be an hypothetical discussion? It seems to me, you are using names right often for your hypothesis."

Tom snapped back quickly, "Yes, I can explain those finger-prints in a way any jury will believe. By your own showing, Edwin was in the room unobserved for some few seconds. Remember, it was his brother who lay there before him. What more natural than for him to pick up the gun? If he were the murderer, he never would have touched it, he would have seized the opportunity to wipe off the prints—not to put them there. It wasn't murder, Lyttle, and you can't prove it was. It was suicide and suicide for good reasons."

John Patrick paid no attention to this interchange. He preserved an Olympian calm, the cold detachment of justice, in curious contrast to the tense, strained atmosphere manifested in this midnight conference of fearful import. We were all keyed up out of our normal selves by apprehensive expectation of what we were about to hear; he, knowing the worst, was impervious to the pervading dread gripping the rest of us.

He went on inexorably: "No, Tom, of course Charles didn't permit any one to approach him closely. He didn't even see the man who killed him, for the latter stood safely outside the window, raised, remember, from the bottom. And, also, recall how easy the killer had made it for himself. Did you ever see Charles sit in any chair in the gun-room, other than the one he was in when we found the body? All the murderer had to do was to make an appointment with Charles to meet him in the gun-room, and then he went to that window where the ground, protected by the portico, was hard and dry, capable of retaining no footprints—and from there he shot his victim."

"But the powder burns, man, you forget them!" Tom was shouting in his excitement.

For answer, John Patrick opened his hand and showed us, lying there on his palm, a small round disc of paper. He said simply, "I found this on the body, under the coat. The minute I saw the thing, about a quarter of an inch in diameter, I knew it for what it was, the wad from a blank cartridge.

"This told me the true story. The murderer, as I said, stood outside the window, fired the fatal shot, and then he walked inside and fired again at the dead body. His second shot was a blank and the wad dropped down where he could not get it. But that's where the powder burns came from—and we drew the erroneous conclusion from them that the killer intended for us to draw."

I interrupted this time, for I think I shall always be interested in the problem of acoustics. "Did nobody hear those shots? Was a silencer used again?"

John Patrick turned to me. "Bob, a silencer is a clumsy thing, used far less often than you would believe. It can never be used, as Sergeant Lyttle explained, without leaving its trace. Now there was no sign of one attached to the frontier gun which certainly killed Charles and, therefore, probably fired the blank. I never like a theory which postulates such a clumsy appurtenance, and certainly in this case it was not necessary, for the limits of sound around the Bayside estate were very well defined at the time of Cyrus' death. You can't hear anything from the house down at the gates unless the day is exceptionally clear or the noise exceptionally loud. The men patrolling the borders were out of earshot, and even if they did happen to hear something they could not get back in time to investigate. James might have heard the first shot, provided he was awake and listening for it. Even so, I think it doubtful he could have heard the second shot fired inside the house, when you recall the number of trees through which the sound waves must travel to reach him.

"No, we will leave out the silencer. After the shooting, the man who did it did not linger long, as evidenced by his failure to close the window or find the wad. I don't believe he dared disturb the body for any extended search, since this tiny disc of paper might well have gone unheeded forever."

John Patrick paused for the briefest fraction of a second, but when he resumed his talking, his voice was different. He was no longer the kindly old lawyer-detective, exposing a difficult case to interested listeners; he was the power of the law, inexorably damning the forces of evil. And he was speaking now to only one of us—but, on my life, I could not tell which one.

"When I found the wad from the blank, I was looking for some such clue. You see, I knew even then that it had to be murder—for I knew why it was necessary that Charles should die."

My chief's voice stressed the somber word and a shiver ran down my spine. He went on, "You all remember the searches to which Bayside has been subjected of late; and I think every one of you, down deep in his mind,was convinced of the reason for the mysterious activity. Some one, somewhere had something the killer wanted, something he needed to make himself safe forever from suspicion and conviction."

The room was tense and still, the silence broken only by the crackle of the fire in the grate. I had an uncanny sense of a shadowy presence among us, something reaching out from beyond the grave to exact vengeance for the evil done in this house.

The inexorable voice persisted: "Charles Evans had in his possession the one thing that would prove beyond a shadow of a doubt who killed his uncle. But Charles intended to keep this piece of evidence, he did not want to turn it over to the law. In short, he intended to make the guilty man pay blackmail. And there, in those few words, is the tragedy of the latest death. Charles, had he done the right thing, the upright thing, would be alive today. He should have known he could not pit his wits against a remorseless killer, he could not enmesh such a man in the never-ending chain of blackmail. And so it proved. The man temporized with him and persuaded him that some day he would give him all the money he wanted—and then the searching started. Charles, who must have realized then some of the dangers of the path upon which he had set his feet, became alarmed but did not deviate from his plan. I knew, while all this was going on, it would end in tragedy, unless the criminal should find what he wanted. I feared lest Charles had hidden the article or passed it over to some innocent person to take care of for him—I never dreamed him fool enough to retain it in his possession. Yet his ruse, foolish as it was, succeeded. The murderer was never able to find it. But, because he failed, Charles had to die. The actual killing might not have taken place so soon, but it was already planned, I am sure. Then came the telephone call to force the murderer's hand. He dared not let Charles go up to the District Attorney's office, knowing all he knew. So Charles' death, already on the cards, was brought about at once."

We all sat tense and motionless like frozen automatons waiting to hear where John Patrick had found the object which had so successfully eluded the killer's comprehensive search.

"I have told you, I withdrew Charles' gun from the holster. I did more—I withdrew the clip and extracted the cartridges. Never in my life will I quite understand why I did it." My chief's voice vibrated with a curiously deep note in it. "The clip was full, but something attracted my attention to the last cartridge down. I scanned it closely and turned it over in my hand—the mark of a firing-pin was plainly discernible in the brass of the primer. A misfire? I did not think so, for who would place it so carefully in a pistol he fully intended to use, should the need arise? I pried the bullet loose; it was not a hard task, for it was not the original tenant of that cartridge-case. The original bullet is in the District Attorney's office; it was once removed from the body of Cyrus Evans."

It seemed as if no one breathed, lest he be thought to betray a guilty interest in my chief's words. I sat grasping the arms of my chair, my palms wet with sweat. John Patrick tossed something on the desk in front of us.

"There it is," he said, "the bit of brass which once carried the bullet that killed Cyrus; the bit of brass for whose possession Charles forfeited his life; the bit of brass, gentlemen, which has already claimed two lives and will demand a third in atonement."

A silence fell, heavy and brooding. Then my chief went on: "Now you know, all of you, that the mark a firing-pin leaves on the soft brass of a primer is, in its way, the finger-print of the pistol on the cartridge-case;

to simplify my meaning, I'll put it another way—no two firing-pins ever strike the primer to leave the same imprint, yet each firing-pin leaves its characteristic mark. I want to make that plain to every one, for the rest of my theory depends on it. What I am saying is this—I hold in my hand the cartridge-case which was once fired by a pistol we shall call X. And the firing-pin of pistol X we shall call Y. Now, if I can find X and fire a bullet through it and pick up the ejected cartridge-case, I shall discover the imprint of Y on the primer. But I have here in my hand a cartridge-case with a mark on its primer, and if I put these two cases side by side under a microscope, I shall find the Y imprint on each case.

"Well, then, I am going to take this case to the District Attorney's office tomorrow; the only possible reason for Charles' retaining it in his possession, the only possible value it can have to the murderer, is because in that collection of bullets and ejected cartridges at the D. A.'s office, there is one cartridge which bears on its primer the mark Y. And that means, we can find out what gun is X. The only remaining corollary to be proved, then, is the ownership of gun X—a matter of record in the office right now."

We sat in speechless silence, fascinated by the bit of brass before us. Finally Tom said abruptly, "I'd like to see that thing, if I may. I don't mind telling you, this is news to me and rather does alter the aspect of suicide."

He reached for the cylinder and took it over to the light to examine it. I don't think Edwin's eyes ever left it, he was staring in blank horror at it all the time. It was a gruesome object when one considered its history and meaning. Then Tom fumbled it, it slipped from his fingers onto the stone hearth. With a lightning-like move, he seized the heavy brass lamp and brought it down full force.

"There is your evidence," he cried, a wild note in his voice. "The Evans family has been in court for the last time. I am the head of the house, and if Cyrus is to be avenged on one of his own family, it shall be done in my own way. I have had enough of the law."

He lifted his eyes from the flattened piece of metal on the hearth to glare at John Patrick and, even in that crowded room, I felt the boding menace in his look, then suddenly the menace was gone, the muscles of his face slacked, a tiny nerve twitched at the corner of his lips and I, too, turned to my chief. The light from the heavy lamp gleamed brightly on the cartridge-case held between thumb and forefinger of Vaile's left hand. It seemed to be rigid, pointing at Thomas Evans.

There was one of those age-long instants, and then Tom leaped backward out of the room; the door slammed, the key grated in the lock, and Lyttle, scarcely comprehending what had happened, rushed for the door, only to be halted by the forgotten handcuff fastening him to Edwin.

Yet I think, even then, there was only one of us who understood, who knew that the murderer of Charles and Cyrus Evans had vanished into the darkness lying on the other side of that locked and bolted door.

CHAPTER TWENTY-THREE

A FEW days after the events that I have set down in the preceding chapter, Edwin came in to Baltimore to see us and express his thanks to my chief for all that John Patrick had done for him. Tom had made good his escape, a bitter triumph at best, since his future could be only that of a hunted creature, whereas the whole plan of the crime, its focal point, had been to enjoy his ill-gotten gains free from fear of even the slightest suspicion of his father's murder, living out his life as a well-thought-of country squire. Knowing Tom as I did, I imagined that death would be a preferable fate to life cut off from all he had gone to such lengths to gain. The police had the same idea, and Sergeant Lyttle had offered to furnish a guard for John Patrick's lodgings in town, lest Tom attempt to harm the man who had tricked him into the betrayal of the crime which could never have been proved against him.

But the offer had been refused, my chief saying, "No, Tom will never come back out of any desire for revenge. He is not that type at all. He is an intellectual, a dangerous enemy to those who stand in his path, but we are no longer in his way. He has gone for good, the loser in a stupendous gamble."

So, on the afternoon when Edwin sought us out, we were quietly at our work, trying to forget the momentous events so recently lived through. But Edwin was not willing to bury the past so quickly without a fuller knowledge of what had taken place than he had as yet.

"I wish," he began, "you would start the story at the beginning and tell me exactly what did happen and how you found it out. I was the goat of the whole affair, I suppose. Anyway, after the trial and acquittal, I never gave another thought to Tom's possible guilt. I had a lot of things on my mind and they rather blinded me as to what was going on around Bayside."

I knew, he was thus referring to Elissa. Since Tom's disappearance and since Edwin had become heir to the Evans' fortune, I was aware that he and Elissa were seeing each other daily with no attempt at concealment. The natural presumption was they intended to marry as soon as the hue and cry over the case died down. In spite of my chief's cheerful attitude, I could look on the proposed marriage with nothing but the gravest apprehension—I suppose my feelings, however, are not of much importance.

John Patrick replied to Edwin's eager demand willingly enough.

"At the very beginning," he said, "I could not believe Tom guilty; that is, before the evidence of the last day of the trial. You remember up to then the case looked so clear-cut that it did not seem possible, to any one who knew Tom, that a man as clever as he undoubtedly was would commit a murder with no more plan or subtlety than this one exhibited. Then came the expert's testimony and, paradoxical as it may seem, with this testimony my suspicion of Tom was born, for it was clever, the latest move of his. It was the first touch of the master hand, as far as I had observed.

"The selection of Lewisholm as a ballistician to give evidence intrigued me from the moment I heard of it. He is a person so detached from the everyday world, so innocent of contact with criminals and murders, that I began to wonder if the reason for his selection might not be because he could be counted on to give exactly the evidence he was expected to give, without arousing in his own mind, or in the minds of any of his hearers, suspicion of some little point held back. Remember, I was fresh on the case, I had just returned from England, and I could survey the situation far more dispassionately than any of you who had been on the scene from the very beginning, distracted by the rush of events and the surprise of the denouement. So it came to me that there was a way in which the crime could have been committed and still the evidence at hand would fit in. It seemed probable that any one of three persons might have used such a method, but there were certain things to make me believe that Tom was guilty.

"To begin with, the choice of a forty-five as a weapon was curious. Very few people use such a heavy gun. The reason for the selection, of course, might have been that all three of the Evanses habitually used this particular caliber; but there is a peculiar characteristic of the Colt automatic which set me thinking. As any doughboy can tell you, the big point about an Army automatic is that, with no tool other than its own cartridge, it can be taken to pieces in a comparatively short time, and—this is the significant feature—its various parts can be quickly and easily replaced with others. Remember, the markings on any bullet are caused by the action of the lands of that particular barrel on the bullet as it goes through the barrel. This means, the gun can be fired, the barrel can then be changed and, while it is still the same gun which fired the shot, it now has a new barrel, with an entirely different set of lands, so that the next bullet to be fired through this very gun will show entirely different marks.

"To come to the case at hand, then, the person who murdered Cyrus Evans could have removed the barrel from his automatic as soon as the deed was done, thrown it away, and put in a new one in less than two minutes' time. Then, when the gun was test-fired, the new barrel would put entirely different marks on the bullet than those scratched on the bullet which killed Cyrus, because the former were made by the lands of an entirely different barrel.

"As I say, this solution came to me as a possibility; then the effort was made to impress the police that Tom had one gun, and one only, which, as he had taken such pains to show, could be identified by the name plate on the side, made me suspect that it was his gun which had been so changed. Also, remember the bullet taken from Cyrus' body showed much pitting, as though the barrel had been dirty or carelessly treated. Unless I was to believe that the gun was owned by some one outside the family entirely, I could not see where this fitted in, how it happened, when all of you Evanses are so careful about your own guns. I don't believe I need to say, I never gave a thought to the proposition of an outside killer; there was an absence of motive, unless he expected to gain under the will, an absence of opportunity for any one not connected with the immediate family, and finally I was suspicious of any professional murderer using a forty-five.

"Well, then I went back over the notes Bob had made for me. The first thing I noticed was, that when Tom cleaned his gun in front of the Sergeant, he did so without taking it to pieces. Bob put it this way, as nearly as I recall it, 'Tom thrust an oily rag through the barrel and it came out dirty.' No mention of taking the pistol apart, as a gun expert might be reasonably expected to do. Of course, Tom wished to impress upon the beholders the idea of the gun's having been fired, but he dared not take it to pieces, lest the barrel, lying apart from the rest of the gun, suggest the possibility of the change which actually had been effected. Later on, Bob told me—"

I interrupted hastily, "It was after Charles' death that I remembered the point, the thing that had bothered me for so long, because I had noticed it at the time and then I forgot it in all the ensuing excitement. When I picked up Tom's gun, there in the study, it was warm, and there was no reason on earth for it to be warm when only one shot had been fired."

"Warm?" exclaimed Edwin. "Why was that?"

John Patrick smiled. "Having told you why I began to suspect Tom, I'll tell you what I think really happened. On the afternoon of November tenth, Tom persuaded his father to go out in the cruiser. At that time he was aware of two things; namely that Bob was coming down on the afternoon train and that the police had a radio equipped car in service."

Edwin interrupted, "Why, I thought the police felt that his ignorance of both these factors was what led to his apprehension; certainly, the verdict of the Coroner's court was based on the theory that he was taken by surprise by the police before he had a chance to dispose of his gun; and the story Williams told about hearing the shot was the one thing Tom had not counted on."

"Well," I replied grimly, "I would say it was one of the things Tom had counted on from the beginning. I was nicely sold, both then and when I so obligingly hurried the D. A.'s office to bring the case to an immediate trial."

"The point is," explained John Patrick, "Tom intended all along to be arrested. You know the law of double jeopardy; Tom was counting on it. No man can be tried twice for the same murder—his life may not be twice placed in jeopardy for the same offence. Tom wanted to be accused of murder and brought to trial while he could still free himself by the testimony of Lewisholm. Speed and confusion to his opponents—these were his two allies. He is by way of being quite a psychologist, you know, and he figured out in advance just what every one would say or do under a given set of circumstances. Now let us see what he did to set these circumstances into the pattern he wished them to take.

"He was determined to kill Cyrus, because he was in danger of being found out in the matter of his gambling debts, and gambling was a thing Cyrus had forbidden. The motive the State established at the trial was substantially the correct one, only it didn't go far enough. Tom was determined to do the killing in such a way that he should at once be suspected, brought to trial immediately and acquitted. Then, no matter who was next suspected, no matter what facts came to light afterwards, not only was the law through with him, but, in all probability, public opinion would completely exonerate him.

"So he waited for the cruiser to come to the dock. I don't know whether he could actually see her, or whether he heard her coming; at any rate, the fog befriended him, for Cyrus had to bring her in slowly enough to give Tom all the time he needed, and, likewise, the engines being throttled way down, no one else was apt to hear her return. Tom, then, either saw or heard her, ran up to the house and staged the little comedy in front of James and Bob, so they both should testify subsequently about the shot and about his having just the one gun. A forty-five is a large weapon to hide on one's person and he plainly could not have done so without its being noticed; but the barrel of the pistol is not much larger than my longest finger. It might have been secreted about his person, or it might have already been placed in the lumber-pile in readiness. It also has the advantage of being more easily obtainable than the pistol itself. The sale would be harder to trace; personally, I think Tom quite likely obtained it at a salvage sale, or from one of his officer friends at the Army post. At any rate, he fired the shot, the shot which Bob heard, because it was the only one fired, replaced the pistol barrel, probably throwing the old one in the water.

"This, I think, took him about a minute and a half, for there were two more things he could have done, but he didn't. He could have replaced the firing-pin by a new one, or he could have searched for the ejected cartridge. Since he did neither, we must assume he was pressed for time, for he still had more to do. Of course, we know he assisted the troopers in their search next day, he may have expected to find the cartridge-case then, or he may have gone out that night to look. But, after the shooting, his immediate concern was to reach the house, for as soon as the barrel was changed he was safe so far as proving that his gun had fired the bullet was concerned, and he wished to prepare a little stage scene for the troopers who were due almost at once.

"He went to the study, set up a Sterno stove, and thrust the barrel of the gun into the flame. I believe the gun with this very barrel in it had been fired previously that day, but he wanted to make very sure it was sufficiently dirty, it presented accurate appearance of a gun recently fired, so there would be no question in any one's mind. He wanted this for two reasons; first, to cast immediate suspicion in his direction, and, secondly, so that later, when Lewisholm had given his testimony, no possibility of a second gun should exist in any one's mind. Two guns must postulate two shots, and hence be out of the question. You see, there were not two guns, there were two barrels, which is a vastly different thing.

"Well, then, in his eagerness to set the stage, he overdid the business; in smoking up the barrel to give the appearance of being freshly fired, he let it get warm, and there was no conceivable reason why the pistol should have been warm at all."

"Why didn't some one notice it at the time?" asked Edwin.

"I presume it did strike Tom when it was too late. Lyttle told Bob yesterday that he never noticed it because his mind was intent on capturing Hirstein, and he was more interested in Bob, himself, than anyone else, on account of his talking about the single shot. You see, they hadn't found Cyrus' body then and, when they did, it threw every other consideration out of their minds. Bob was the only person on whom it made a deep impression and then he forgot it. You know yourself how hopeless it is to bring something back to your mind when you have recorded it more or less subconsciously in the first place."

I thought this very handsome of my chief. I could not excuse my own poor memory so easily.

"Well, Tom tells his ridiculous story and within a few hours it is proved false. The capture of Hirstein before the crime at Bayside was a lucky break for Tom but, if he hadn't been caught at this juncture, the story was so absolutely without proof that he would have come under suspicion rapidly enough anyhow; he would have said something or done something to discredit his own story further and hasten the reckoning. As soon as Bob told the tale of the single shot, the seed was planted.

"Meanwhile, something had been happening down by the waterside. Charles arrived on the scene so soon after Tom left, that he gained a much better understanding of the affair than any one was supposed to get. I think he picked up the empty cartridge-case at once. Had it lain there until next day, even if Tom had never recovered it, it is doubtful if the police would ever have bothered to examine the marks on the primer when they had the gun itself. The ejected shell was dubious evidence all alone—there must be a hundred such around the grounds, and Tom could always say he stood there to fire at a woodchuck the previous day, or even week. I don't think Charles himself was absolutely sure of the value of his find, or the significance of its ownership, until the day the forty-fives were test-fired right here at Bayside and he picked up the cartridge-case ejected from Tom's trophy gun and found the same marks around the primer as there were on the case he had picked up in the woodpile."

I asked a question which had been bothering me. "I don't see why Tom went to all the trouble of prowling around at night to look for the cartridge-case ejected from his gun. It seems to me it was, at best, rather controversial evidence."

"Controversial perhaps—but true. Tom could not afford any questions or speculations to arise about his gun. If you don't believe that cartridge-case was important, as long as Charles was alive to testify as to the circumstances under which he found it, I'd recommend to your attention the killing of patrolman William Kohler out in Oakland. Seventeen ejected cartridge-cases were picked up on the scene of the crime, all from a thirty-eight caliber gun. Nevertheless, it was proved from the marks on the primers that two different guns were used. This evidence was offered in court and did much to convince the jury of the guilt of both young men who were on trial."

I was surprised to hear this, but I reflected that Tom, in the course of his study of criminal cases, had undoubtedly been apprised of the trial in Oakland and it did much to add to his determination to recover the ejected case.

"We know pretty much what happened from that point on until after the acquittal," resumed John Patrick. "By then, as I have said, I had my suspicions, but there was no way in the world to prove them. I realized, of course, that the police would not give up the case, and I was sure, sooner or later, that some member of the family would come under their notice. I decided that neither you nor your brother had alibis capable of standing much scrutiny, so I planned to forestall the troopers and satisfy myself that no one else was involved in the murder. Even at that time, I was sure the affair was by no means ended, although I had great hopes I would be able to prevent any such tragedy as actually occurred."

Edwin spoke up, "I don't believe, had the police followed your line of reasoning, they would ever have believed you were right. It seems incredible to think any one would actually risk being tried for a murder he committed, because he was so sure no proof could be brought forward. I know what a gambler Tom is, but it is hard for me to believe he gambled with his own life."

John Patrick answered grimly, "The conception of the scheme undoubtedly emanated from a gambler's brain, but I don't think Tom was ever in very much danger, once the true barrel was disposed of. The thing which worried him most, I should say, was the fear he would be discharged without trial, should the D. A.'s office think to test-fire the pistol. He worked every point out so carefully that he always knew what any one person would do or say before he went ahead with his schemes. Take Lewisholm's testimony, for instance; when he was discussing the case with his witness, had the witness appeared to see that this thing might have been worked by changing the barrels, Tom would simply have called another expert to testify. Don't forget, either, Tom had a contempt for criminal trials. He had gotten too many men free himself, when he knew they were guilty, to worry much about regaining his own freedom. The real worry was to get that freedom with no suspicion attached to him, only sympathy for what people would consider the stupidity of the police. This was the part of Tom's plan which was really subtle and finally betrayed him. His objective was not alone to come out of the trial successfully, but to live the rest of his life a well-thought-of country squire above suspicion.

"The next step was taken the day Charles showed Tom the empty cartridge-case. If Charles had taken it to the D. A.'s right then, Tom could not have been convicted for murder, but he could have been tried for perjury, and his goal of a peaceful and honored position in the world would not be attained. He did not at once give in to Charles' demand for blackmail money, but he began to make his preparations. First, he negotiated a large block of securities—or rather had me do it for him. Charles thought this money was to be his, but Tom planned it to be an anchor to the windward, should he need to make a hasty getaway, for now his plans became more sinister. He well knew that paying Charles the demanded blackmail would be but a temporary respite, and he was prepared to gamble once again—permanent security, if he won; if he lost, he still had his freedom.

"His first move was to try to get the gun back from the D. A.'s, change the firing-pin, and laugh at Charles. This idea was forestalled when the Prosecutor, acting on a hint from me, made excuses for retaining the gun. You see, Tom dared not press the point, I dared not make any accusations, but I did want to know which of the guns admittedly in the possession of the Evans' men would be the first to disappear.

"Well, the relentless search for the cartridge-case began. Now the peculiar thing here was both Bob and I saw Charles in possession of it—"

"What?" I exclaimed. "I didn't remember that at all."

"Why, yes, don't you remember the morning we went down to breakfast, and Charles dropped it on the hearth?"

"You mean, when Tom said that Charles was down to his last penny and he had almost lost it?"

John Patrick nodded. "A penny, my son, is made of copper and should not give off a brassy ring when it hits the hearth. Well, that night Charles' room was entered. The raid rather threw me off, as I knew Charles was aware that I had appreciated the significance of the object he had dropped, and I figured quite possibly he had staged that little party to throw me off the track, although I did realize that Tom was in the exact place I should have expected to find the person who had committed the burglary. He had simply run down the backstairs and out the door. Then he turned around, pretended he had been chasing the burglar, and came back upstairs again. I realized there was trouble brewing, but I did not know whether the cartridge-case had gone astray and was in the hands of a totally innocent party, or whether the one who had it was entirely aware of the value of his find.

"Then came the night when we were all drugged. Tom, of course, drugged the whiskey and removed the fuse, as an excuse to absent himself when we were all drinking. He saw the effect it had on all of us, once more taking no chances until he was sure, and then he went about his work methodically. This point confirmed my suspicions that it was still Tom who was looking for the cartridge, although he knew no more about its whereabouts than I did just then. You see, when he met us all coming out of the gun-room, he was not under the influence of the drug; yet he made no comment on our condition, although it must have been very obvious at the time. An innocent man would have behaved far differently.

"That last search was as unsuccessful as all the rest, so Tom drugged himself to keep from being suspected. Of course, taking the drug five or six hours after we did, he felt its effects long after we had recovered, and so gave credence to his expressed theory that an extra quantity of the drug had been given him in order to cause his death. This was a new development of his plan, the last move he wanted to make. He was preparing the way for the elimination of his cousin. His hand was forced by the telephone call and he knew the game was up, if he ever let Charles go to the District Attorney's office."

"But the footprints?" I inquired, thinking how they had led to my suspicion of Al Herz.

"Tom faked them clumsily. Shoes too large for him. It was a silly performance, but he was desperate, and anyhow it was done when he still had hopes of finding the cartridge-case. If he had done so, he could have laughed at suspicion; I am inclined to believe, had he been successful, he would have had some story to tell us into which the footprints fitted very neatly."

John Patrick tamped a new bowlful of tobacco down in his pipe. "That brings us up to your arrest, Edwin. You put your own finger-prints on the gun the night before in the gun-room when we were all looking at it. Tom planned to have Charles' death look like suicide, but he saw how useful those finger-prints could be. If murder were suspected, it would be you, not he, who would come under police scrutiny."

"How did he get back to the house to kill Charles?" asked Edwin.

"He took the cruiser as near the blind as he could, anchored her, and rowed over to the blind itself in the dory. To show how careful he was, I want you to notice that he got two ducks—they were on the kitchen table when we were investigating Charles' death. After he got them, he rowed the dory back to the bayou, came up to the house through the pine woods, where he would not leave any footprints. Of course, he had already made the appointment with Charles when he saw him—as I'm sure, in spite of his denial, he gained admittance to the upstairs room when he delivered the message. Charles would naturally be eager to make arrangements with Tom, for now he could threaten him with his proposed trip to Baltimore the next day.

"I have already outlined the way in which Tom accomplished the actual killing. When it was done, he must have hastened back to the cruiser and brought her to the dock in record time, for he appeared on the scene shortly after the body was discovered. And his footprints from the dock to the house were plainly discernible, although there were none there when the plain-clothes man was looking around the first time.

"I think his interest in your plight was not pretense at all. He wanted to make sure that the police either had an unbeatable case against you, or else were convinced you did the murder but they could never prove it. When he suggested I act in your behalf, I was in a difficult position. The circumstantial evidence was strong against you, and I knew that Lyttle was determined to get some one for this murder. Likewise, I knew I could never get any real proof against Tom; with Charles' death, the evidence of the cartridge-case became valueless. It might have been picked up at any time, there was no existing proof ever, except Charles' own word, and now that was gone. Our only chance was for me to reconstruct the crime, to show Tom that I was aware of his guilt, and then suddenly to produce the cartridge-case, the menace from which he had hoped he was forever freed, to do this suddenly, as I say, with the idea that he would break under the strain. I was encouraged to think that such would be the result, for I knew he had provided himself with funds, and that seemed to show he had at last doubted, in a small degree at least, his own ultimate success. As you saw, I was right and he did crack under the strain. He saw the chance to destroy forever the cartridge-case and claim he was acting to save you. But, of course, he destroyed the decoy, not the one I had found in Charles' pistol clip. And I believe, when Tom heard what an absurdly simple hiding-place it had been in, he began to go to pieces right then. He saw the other one, in my fingers pointing at him, and he realized that he had betrayed himself to me. Without nerve to fight any longer, he fled."

Such was the way my chief summed up the Bayside murder mystery. In conclusion, I want to say, I saw it in a different light. I saw it as the struggle between two men, an intellectual conflict, wherein the one, using cunning mental trickery, canny psychological insight, played his game with the rest of us as his unknowing pawns. The other man, watching all the moves carefully, defeated him with his own splendid brain, worked on the criminal's own psychological make-up, even as he had worked on the rest of us, until John Patrick finally called check and mate, and the game was over.

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